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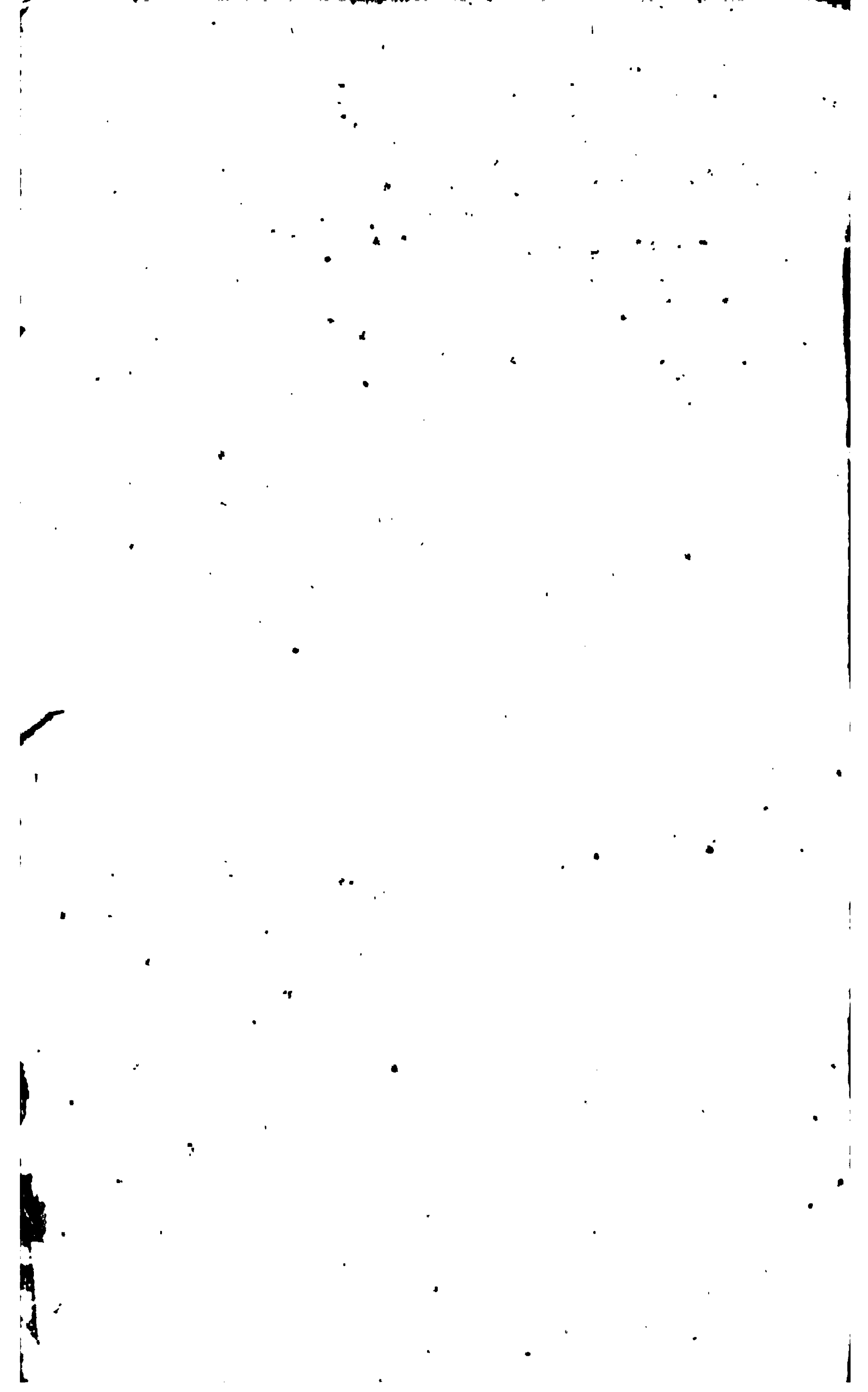


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# **JOURNAL**

OF

## **THE SENATE,**

OF THE

### **COMMONWEALTH OF PENNSYLVANIA,**

OF THE

#### **SESSION 1826-27.**

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#### **VOLUME XXXVII.**

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**HARRISBURG :**

**PRINTED BY CAMERON & KRAUSE,**

**1826-27.**



# JOURNAL

OF

## THE SENATE.

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**Tuesday, December 5, 1826.**

**THIS DAY** being appointed by the constitution for the meeting of the General Assembly, a number of the members of the Senate, and other gentlemen elected to supply vacancies, met.

Number of the district, and names of the members of the Senate, with the date of the expiration of their respective terms of service.

1st. District, composed of the city of Philadelphia,	} GEORGE EMLIN,	1827.
2d. District, composed of the county of Philadelphia,	} JOEL B. SUTHERLAND,	1829.
3d. District, composed of the county of Montgomery,	} JOEL K. MANN,	1827.
4th. District, composed of the counties of Chester and Delaware,	} JOHN KERLIN,	1828.
5th. District, composed of the county of Bucks,	} ELY KITCHIN,	1828.
6th. District, composed of the counties of Berks and Schuylkill,	} GEORGE SCHALE, WILLIAM AUDENREED,	1828. 1828.
7th. District, composed of the county of Lancaster,	} JOHN HAMILTON,	1828.
8th. District, composed of the counties of Dauphin and Lebanon,	}	

9th. District, composed of the counties of Northumberland and Union,	}	ROBERT MOORE,	1828.
10th. District, composed of the counties of Luzerne and Columbia,			
11th. District, composed of the counties of Bradford Susquehanna and Tioga,			
12th. District, composed of the counties of Northampton, Lehigh, Pike and Wayne,	}	HENRY WINTER,	1827.
13th. District, composed of the counties of Lycoming, Centre, Clearfield, M'Kean, & Potter,		HENRY KING,	1829.
14th. District, composed of the counties of York & Adams,	}	ZEPHANIAH HERBERT,	1829.
15th. District, composed of the county of Franklin,			
16th. District, composed of the counties of Cumberland & Perry,	}	JAMES DUNLOP,	1827.
17th. District, composed of the counties of Huntingdon & Mifflin,			
18th. District, composed of the county of Westmoreland.	}	ALEXANDER MAHON,	1829.
19th. District, composed of the county of Fayette,			
20th. District, composed of the counties of Washington & Greene,	}	CHRISTIAN GARBER,	1828.
21st. District, composed of the counties of Allegheny, Beaver and Butler,			
22d. District, composed of the counties of Somerset and Bedford,	}	HENRY ALLSHOUSE,	1827.
23d. District, composed of the counties of Erie, Crawford and Mercer,			
24th. District, composed of the counties of Venango, Warren, Armstrong, Indiana, Jefferson and Cambria,	}	WILLIAM G. HAWKINS,	1828.
	}	SAMUEL POWER,	1827.
	}	MOSES SULLIVAN,	1829.
	}	ALEXANDER OGLE,	1829.
	}	JOHN LEECH,	1829.

**PRESENT**—Henry Allshouse, William Audenreid, Stephen Duncan, Christian Garber, Frederick Hambright, John Hamilton, William G. Hawkins, Peter Hay, Zephaniah Herbert, Joshua Hunt, John Kerlin, Ely Kitchin, Jonathan Knight, John Leech,

Henry Logan, Joel K. Mann, Robert Moore, Alexander Ogle, Henry Petrikin, John Ray, George Schall, George Seltzer, Daniel Sturgeon, Moses Sullivan, Joel B. Sutherland, Henry Winter and Alexander Mahon, Speaker—27.

On motion of Mr. Mann and Mr. Garber,

The returns of the election of members to supply the places of those whose term of service had expired, were read, by which it appeared that the following named persons were duly elected, to wit:

For the

1st District, composed of the city of Philadelphia,	STEPHEN DUNCAN,	1830.
2d District, composed of the county of Philadelphia,	PETER HAY,	1830.
4th District, composed of the counties of Chester and Delaware,	JOSHUA HUNT,	1830.
7th District, composed of the county of Lancaster,	FREDERICK HAMBRIGHT,	1830.
8th District, composed of the counties of Dauphin and Lebanon.	GEORGE SELTZER,	1830.
9th District, composed of the counties of Northumberland and Union,	JOHN RAY,	1830.
19th District, composed of the county of Fayette,	DANIEL STURGEON,	1830.
20th District, composed of the counties of Washington and Greene,	JONATHAN KNIGHT,	1830.
24th District composed of the counties of Venango, War- ren, Armstrong, Indiana, Jefferson and Cambria,	EBEN S. KELLEY,	1830.

Mr. Mahon, Speaker, laid before the Senate a letter, which was read as follows, viz.

*To the Senate of Pennsylvania.*

GENTLEMEN—I have received, during the recess of the general assembly, the resignation of Thomas Burnside, the Senator representing the thirteenth senatorial district, composed of the counties of Lycoming, Centre, Clearfield, M'Kean and Potter, and the resignation of William M'Ilvain, one of the Senators representing the fourteenth senatorial district, composed of the counties of York and Adams; and in pursuance of the provisions of the constitution, I issued writs of election, to the proper sheriffs, to cause proclamations to be made, and elections to be held, on the second

Tuesday of October last, to supply the said vacancies. Elections have been holden, and proper returns made to the office of the Secretary of the Commonwealth.

ALEXANDER MAHON.

*Harrisburg, December 5, 1826.*

Laid on the table.

On motion of Mr. Mann and Mr. Garber,

The returns of the election of members to supply vacancies, were read, by which it appeared that the following named persons were duly elected, viz. For the

13th District, composed of the counties of Lycoming, Cen- tre, Clearfield, M'Kean and Potter,	}	HENRY PETRIKIN,	1827.
14th District, composed of the counties of York and Adams,		HENRY LOGAN,	1827.

On motion of Mr. Leech and Mr. Allshouse,

The Senate proceeded to the election of speaker, (the clerks being first appointed tellers) and the votes being taken, were as follows:

Messrs, Allshouse, Audenried, Duncan, Garber, Hambright, Hamilton, Hawkins, Hay, Herbert, Hunt, Kerlin, Kitchin, Knight, Leech, Logan, Mann, Moore, Ogle, Petrikin, Ray, Ryon, Schall, Seltzer, Sturgeon, Sullivan, Sutherland and Winter, 26, voted for Alexander Mahon; and

Alexander Mahon, 1, voted for William G. Hawkins.

So it appeared that

Alexander Mahon had 26 votes,

William G. Hawkins had 1 vote.

Alexander Mahon having a majority of the whole number of votes given, was therefore declared to be duly elected.

Whereupon,

The speaker elect took the chair, and addressed the Senate as follows:

GENTLEMEN—I, with great respect, tender to you my most sincere thanks for the distinguished evidence of confidence and regard, you have been pleased to evince towards me, in selecting me to preside over your deliberations; and in addition; will renew to you the pledges given on a former occasion, that I will be impartial, and that I will faithfully adhere to the rules and regulations which you may from time to time adopt for your government, so far as I may be enabled to possess myself of them.

That I will not err in the performance of the arduous duties assigned me, I cannot flatter myself. But I can promise that if in aught I do err, those errors shall be of the head and not of the heart.



The usual oaths of office were then administered to the speaker elect, by Mr. Hawkins.

The requisite oaths or affirmations were administered by the speaker, to the following new members viz:

Stephen Duncan, Frederick Hambright, Peter Hay, Henry Logan, Henry Petrikin, John Ray, George Seltzer, Daniel Sturgeon, Joshua Hunt, and Jonathan Knight.

On motion,

Ordered, That Messrs. Leech and Hambright be a committee to inform the House of Representatives that the Senate is duly organized, and ready to proceed to business.

On motion of Mr. Garber and Mr. Seltzer,

Ordered, That the rules of the last Senate be adopted by the present, until otherwise ordered.

On motion of Mr. Mann and Mr. Moore,

Ordered, That when the Senate adjourns, it will adjourn to meet to-morrow morning, at eleven o'clock, and that that be the standing hour of meeting until otherwise ordered.

A motion was made by Mr. Mann and Mr. Ogle, and read as follows:

Resolved, That the following standing committees be appointed, to wit:

A committee on Accounts.

Claims.

Judiciary system.

Militia.

Banks.

Education.

Roads, bridges and inland navigation.

Agriculture and domestic manufactures.

Election districts.

To compare bills and present them to the governor for his approbation.

On the part of the Senate, for the purposes expressed in the act entitled "An act to provide for the better preservation and increase of the library of this commonwealth.

On motion of Mr. Mann and Mr. Ogle,

Said resolution was read the second time.

The same being under consideration,

A motion was made by Mr. Ogle and Mr. Hawkins,

To amend the same by inserting after the words "election districts" these words "A committee on vice and immorality,"

Which was agreed to.

The resolution as amended was then adopted, and the several items referred as follow:

Accounts, Messrs. Garber, Moore, Kerlin, Sturgeon and Logan.

Claims, Messrs. Mann, Allshouse, Schall, Leech and Hunt.

*Judiciary system*, Messrs. Hawkins, Dunlop, Audenried, King and Kerlin.

*Militia system*, Messrs. Ogle, Power, Hamilton, Ryon and Seltzer.

*Banks*, Messrs. Emlen, Lyon, Kelley, Power and Hambright.

*Education*, Messrs. Kitchin, Winter, Kelley, Hay and Sturgeon.

*Roads, bridges and inland navigation*, Messrs. Knight, Garber, Duncan, Herbert and Petrikin.

*Agriculture and domestic manufactures*, Messrs. Sutherland, Allshouse, Ray, Sullivan and Hambright.

*Election Districts*, Messrs. Winter, Moore, Ogle, Dunlop and Hunt.

*Vice and immorality*, Messrs. Sullivan, King, Mann, Logan and Leech.

*To compare bills and present them to the governor for his approbation*, Messrs. Herbert, Hamilton, Petrikin, Hay and Seltzer.

*State library*, Messrs. Duncan, Kitchin and Audenried.

Ordered, That the Clerk give information to the House of Representatives of the appointment of the last named committee.

On motion of Mr. Kerlin and Mr. Hunt,

Ordered, That the members, clerks, sergeant-at-arms and door-keeper, be each furnished with the usual number of newspapers during the present session.

On motion of Mr. Ogle and Mr. Hawkins,

The following resolution was twice read, considered and adopted.

Resolved, That the Clerk be authorised to settle and pay out of the contingent fund, the accounts of the members for postage of letters and newspapers received by them during the present session.

On motion of Mr. Ogle and Mr. Garber,

The following resolution was twice read, considered and adopted.

Resolved, That a committee be appointed to join a similar committee of the House of Representatives, if that house should appoint such committee, and report a system of rules for conducting business between the two houses.

Ordered, That Messrs. Ogle, Knight, Hunt, Mann, and Sutherland, be the committee for the purpose therein expressed.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion,

Ordered, That Mr. Kitchin and Mr. Ray be a committee, in conjunction with a similar committee from the House of Representatives, if that house shall appoint such committee, to inform the Governor that the General Assembly is duly organised, and ready to receive his communications.

Ordered, That the Clerk inform the House of Representatives accordingly.

A motion was made by Mr. Ogle and Mr. Garber, and read as follows:

Resolved, That to-morrow be appointed as the day for electing Clerk, Sergeant-at-arms, Doorkeeper and Printers of the Journal and Bills, for the present session.

Laid on the table.

Mr. Leech, from the committee appointed to inform the House of Representatives that the Senate is organized and ready to proceed to business, reported, that they had performed that duty.

Adjourned until 11 o'clock to-morrow morning.

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## WEDNESDAY, December 6, 1826.

Mr. Seltzer presented the petition of William Shannon, praying to be re-appointed Sergeant-at-arms of the Senate.

Mr. Seltzer presented the petition of Robert Dickey, praying to be re-appointed Doorkeeper of the Senate.

Mr. Seltzer presented the petition of Henry Clark, praying to be appointed Doorkeeper of the Senate.

Mr. Hawkins presented the petition of Thomas Irons, praying to be appointed Doorkeeper of the Senate.

Mr. Logan presented the petition of John Wilson, praying to be appointed Doorkeeper of the Senate.

Mr. Audenried presented the petition of Benjamin L. M'Carty, praying to be appointed Doorkeeper of the Senate.

The Speaker laid before the Senate, a petition, signed by Hiram Armstrong, praying to be appointed Sergeant-at-arms of the Senate.

Mr. Herbert presented the petition of Benjamin Beaver, of Adams county, a revolutionary soldier, praying that compensation be made to Daniel Sweeny, for a tract of donation land.

Said petitions were read and laid on the table.

Mr. M'Sherry and Mr. Lawson, a committee from the House of Representatives, being introduced, informed that the House of Representatives is organised and ready to proceed to business.

The Clerk of the House of Representatives being introduced, presented an extract from the journal of that house, which was read as follows, viz:

*In the House of Representatives.*

*December 5, 1826.*

On motion,

Ordered, That Messrs. Beatty and Duncan be a committee, in conjunction with a committee from the Senate, already appointed, to inform the Governor that the General Assembly is duly organised, and ready to receive his communications.

Laid on the table.

Mr. Sullivan presented the petition of sundry citizens of Parker township, in the county of Butler, praying that the place of holding their general elections be changed to the house of Philip Taubenepeck, in said township,

Which was read and referred to the committee on election districts.

Mr. Allshouse presented the petition and documents of Hannah Margaret Kimmell, of Westmoreland county, widow of a revolutionary soldier, praying for relief.

Said petition and documents were read and referred to the committee on claims.

Mr. Knight presented the petition of William Taylor and others, praying for the passage of a law, authorising them to sell and convey certain real estate.

Which was read and referred to Messrs. Knight, Hawkins and Sturgeon.

The speaker laid before the Senate letters, enclosing the proposals of the following named printers, for performing the printing work of the Senate, during the present session, viz:

Cameron & Krause, proposing to print the journal in the English language, and offering as sureties, Peter Brua and James Peacock, esquires.

Benjamin Grimler, proposing to print the journal in the German language, at thirteen dollars per sheet and offering sufficient sureties.

Baab and Villee, proposing to print the journal in the German language, and offering as sureties, G. B. Porter F. A. Muhlenberg, Henry Hibshman, George H. Bomberger, D. Brown, Rhea Frazer and Christian Eggert, esquires.

Christian L. Hutter, proposing to print the journal in the German language, and offering as sureties, H. King and Jacob Dillinger, esquires.

Jeremiah Schneider and Samuel Myers, proposing to print the journal in the German language, and offering as sureties, George Schall and Henry Boyer, esquires.

John Wyeth, proposing to print the bills, and offering as sureties, Ubed Fabnestock and Peter Keller, esquires.

Which were read and laid on the table.

The Clerk of the House of Representatives being introduced, presented an extract from the journal of that house, which was read as follows, viz:

*In the House of Representatives,  
December 6, 1826.*

On motion,

Ordered, That Messrs. F. Smith, Binder, Lehman, Ellis, and M'Sherry be a committee, in conjunction with a committee from the Senate, already appointed, to report a system of rules for conducting business between the two houses.

Laid on the table.

Mr. Kitchen, from the committee appointed to wait upon the governor, and inform him that the general assembly is duly organised, and ready to receive any communications he may be pleased to make, reported that they had performed that service; and that the governor informed them that he would make his communication to both houses by message, this day at 12 o'clock.

Mr. Duncan read in his place, and on leave given, presented to the chair, bill No. 1. entitled,

"An act to provide for the more general promulgation of the laws and resolutions of the general assembly of this commonwealth."

Said bill was read the first time.

On motion of Mr. Ogle and Mr. Garber,

The resolution relative to the election of clerk, sergeant-at-arms, doorkeeper, and printers of the Senate, was read the second time, considered and adopted, after being amended so as to read,

"Resolved, That the election of clerk, sergeant-at-arms, doorkeeper and printers of the journal and bills, be the order of the day for Thursday, the 7th instant."

The Secretary of the commonwealth being introduced, presented a message, accompanied with documents, from the governor, which were read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

FELLOW CITIZENS—

The year which is about to close has been to our country, in many respects, an eventful one. The jubilee of our independence was marked by events which have arrested the attention of the civilized world. On that memorable day died two of the most eminent men of our country. How abundant of reflection! How full of instruction! How pregnant with example are the lives, and the deaths of those founders of the republic. Who can reflect upon them without being benefitted? Let these events make us cherish more dearly than ever, the remnant of our revolutionary statesmen and soldiers; and by all just and honest means manifest our gratitude for their services, by making their latter days comfortable and happy.

Some of the wisest and best men of our nation have been called upon, and have cheerfully poured forth tributes of praise and grateful respect to the memory of the author of the declaration of independence, and of its ablest advocate. The people have assembled together, in almost every district, to hear of the sayings and doings of those illustrious men. Every eye has rested on, and every ear been open to, the orators who have stood forth to do justice to the mighty dead. Our printing presses have groaned under the weight of thousands of eulogiums; yet the people still hunger and thirst after all which may yet be said of our truly illustrious and beloved countrymen. These are good feelings arising out of good principles and good deeds. There is no nation—there never has been a nation, that would not have been proud of such sons as THOMAS JEFFERSON and JOHN ADAMS. They are embodied in the minds eye of the nation; and their deaths, on the ever memorable jubilee of independence, has hallowed their memories in the hearts of the people. There may be those who think, that in paying this humble tribute to the memory of Adams and of Jefferson, I have not strictly kept within the line of that duty which the constitution prescribes to the chief magistrate—it may be so: to such I would say, that the privilege thus reverently to bow down before the tombs of the illustrious dead, and pay homage of my highest consideration, however it may be envied, would surely not be denied, by any who venerate the memory of those who in times of peril and danger, dared, in the face of embattled thousands to sign the charter of our independence.

We meet, fellow-citizens, under many circumstances of felicitation. Peace and plenty dwell within our borders. The blessings of religious toleration, of political and civil liberty are ours; more abundantly are they shed upon us, than upon any people upon the earth. Persecution for opinion, even in its mildest form, is not known among us. We, more than any nation on the globe, have cause to lift up our hands, and our voices, and our hearts to the giver of every good and every perfect gift, for the fullness with which he pours upon us all the good things which we are able to enjoy and appreciate. While, fellow-citizens, it is our more immediate duty to watch over our particular commonwealth, and promote its prosperity and happiness, we cannot be indifferent to, or unobservant spectators of, the proceedings of the general government, of the vigilance with which it keeps watch over the general weal, and the fostering care with which it every where protects the rights and interests of our common country. The panoply of the nation is extended over every citizen and over all his concerns. We no where hear of wrong or injustice done to the rights or the property of an American but we hear also of the interference of the arm of the general government through some of its agents to assure redress. This state of things is peculiarly gratifying, at a time when all the energies and abilities of the state government are required to take advantage of our local position, and wisely and judiciously appropriate our resources, in the best manner, to promote the best interests of the commonwealth.



The disinterested and patriotic character of Pennsylvania, has, at all times manifested itself in a disposition to support good principles and good measures calculated to advance the general welfare. Enjoying her own rights and pursuing her own policy, she has never indulged an ambition to be distinguished by extraordinary influence in the affairs of the general government, nor has she inclined to lend her strength for the advancement of individuals or the accomplishment of projects of doubtful utility. Contented to advance whatever is calculated to promote the public interest and to maintain the free principles of the constitution, leaving to her the undisturbed enjoyment of her own appropriate sphere of action, she has preserved, at all times, a tranquil and dignified attitude, disposed to give her aid to those by whom the great interests of the country were faithfully supported. Such continues to be her position and her policy.

The subject of inland navigation, engaged much of the time and attention of the last general assembly, and will doubtless deeply and anxiously occupy your thoughts and deliberations during the session just commenced. In the recess of the legislature it is believed, that all has been done which could have been done, to carry into effect the enactments of the late legislature on this most important subject. In conformity to law, a loan has been procured on terms the most favorable which could be obtained. The additional members to the board of canal commissioners, were promptly added and the board have been employed in ascertaining the best, most practicable and most economical route, by which to carry into full effect, the objects believed to be contemplated by the last general assembly. From that board, a full and satisfactory report may be confidently expected early in the present session. It shall, with all promptitude, be laid before you. I have much confidence in the clearness, frankness and ability with which the board will detail the facts, which their industry and perseverance shall enable them to ascertain. This document will be of great value in assisting to give clear views of the whole of those districts of country, through which it has been contemplated to run the Pennsylvania Canal. Coming, as you do, from every section of the commonwealth acquainted with the wishes, and zealous to promote the interest of your respective constituents, I cannot doubt but they will be faithfully represented, and thus the prosperity of the whole State will be advanced. I trust it is not necessary for me to assure you of the great gratification it will afford me, to co-operate with you, in carrying into effect any and every measure, which shall promise to bring wealth and comfort into the commonwealth, and increase the happiness of our constituents, with whom we have a common interest.

The extent of turnpike, and other artificial roads in Pennsylvania, and the number of excellent bridges over our principal rivers, is greater than in any other state in the Union. The expenditures on those internal improvements, from the State Treasury, and from the coffers of individuals in Pennsylvania, have been to an amount far beyond the expenditures for similar purposes, over

any equal extent of country in the U. States. An opinion, however, seems to prevail that in this commonwealth, little or nothing has been done to promote a system of internal communication by water. This opinion is not well founded, and is disproved by the public records, by the extensive water communications which are in successful operation and by the many hundred workmen, almost steadily employed in the state, on canals, locks and tunnels, independent of the surveys which are made and making to attain information essentially necessary to a wise and prudent prosecution of works commenced and contemplated.

One hundred and eight miles of inland navigation, have been completed by the Schuylkill navigation company, extending from the tide-water at Philadelphia, to Mount Carbon, in Schuylkill county. The Union Canal, extending from the Schuylkill near Reading, to the Susquehanna near Middletown, will be completed, it is expected, early in the next spring; thus opening a navigable communication between the rivers Delaware and Susquehanna. The eastern section of the Pennsylvania Canal, beginning at the western termination of the Union Canal, and extending about twenty-five miles to the mouth of the Juniata, will be finished, it is confidently believed, in the next summer; and, within the same time, it is also expected, that the western section may be open for navigation. The transportation by land, will thus be reduced, within one year, between Philadelphia and Pittsburgh, to less than two hundred miles. I have passed unnoticed the valuable and ingenious improvements on the river Lehigh, and the immense sums expended by Pennsylvania, and the subscriptions of her citizens on the canal, which is to connect the Delaware and the Chesapeake.

Improvement is progressive, and is, in reference to the intelligence, the wants and the means of society. When heavy articles, and bulky produce are to be conveyed, for any considerable distance, there can be no doubt, of the superiority of transportation by water. It brings the articles and produce so much nearer to market, that it gives a value to what would otherwise have rotted on the surface, or lain neglected in the bowels of the earth. It increases the value of his labour to the farmer, by lessening the charges of conveyance to market; and, for the same reason, enables him to get his returns at a cheaper rate. It raises the price of land, creates improvements, and by the consumption it occasions, and the mills and manufactories erected, establishes a market at home; the best of all possible markets.

These advantages are already realized, to a great extent, from the Schuylkill navigation and the improvement of the Lehigh, though yet in their infancy. The boats employed on the Schuylkill alone, give occupation to about five hundred men and boys; and each boat, with one horse, performs the work of at least seven wagons and twenty-eight horses. The consequence is that coal is carried to market at Philadelphia and there supplied at a moderate price; it can even afford the charges of shipment to other parts of the Union, so that this valuable article, which abounds in

Pennsylvania, is rapidly becoming a considerable item of trade. The returns to the country have, in like manner, experienced a reduction in the cost of carriage. They are carried from Philadelphia to Mount Carbon, for five dollars a ton, or twenty-five cents a hundred weight. Similar advantages are confidently expected from the great projected communication to Pittsburg and Lake Erie. It is still further of great importance by the consideration, that it would secure to the state the trade of the west, and a portion of the trade of the lakes; and, which is more important than all, will furnish an additional political and social tie of inestimable value. The report of the commissioners appointed to examine and survey the river Susquehanna, with their charts and estimates; that of the Union Canal Company, and all other similar reports, estimates and plans, shall be laid before you with all possible despatch. From the report of the commissioners you will discover what further improvements in the navigation of the river Susquehanna have been made during the last season. The commissioners uniting experience and practical knowledge, with vigilance and fidelity in performing the trust confided to them by the legislature, have, it is believed, judiciously and faithfully expended the money appropriated by law to this important object. To create a certain and safe navigation will be productive of great advantages to our citizens bordering on this majestic river and its tributary streams. To accomplish such a purpose and thereby afford increased facilities to market, will be deserving and no doubt will receive a due portion of your attention.

I have thus, gentlemen, laid before you such information as I have been able to collect in relation to facilitating water communication throughout our state, forbearing to accompany them by speculation or recommendations, from a thorough conviction that facts are all that are necessary to enable an enlightened and patriotic legislature to adopt such a course of conduct as shall best ensure the prosperity and happiness of its constituents. I commit this most important and deeply interesting subject to your wisdom, with perfect confidence, that the result of your deliberations will meet the approbation of the people of Pennsylvania; and, that it will be my pleasure, as it is my inclination, and my duty, heartily to co-operate with you in carrying into full effect the measures you may adopt.

By an act passed at the last session of the general assembly, the governor was authorised to borrow \$200,000 from those banks "the charters of which provide that they shall loan certain sums to the state, when required by law so to do, on conditions set forth in said charters." Of the sum thus authorised, \$160,000 have been borrowed; that sum being thought sufficient to defray the current expenses contemplated by the law. The provisions of the act of assembly made it imperative on the governor, not only to obtain the money from banks, but from that particular class of banks named in the act of assembly. For instance the bank of Pennsylvania, in which institution the state holds stock to a large amount, was, by the provisions of the act excluded from

competition. To this bank the governor, therefore, could not apply, nor was it authorised to make any proposals for the loan, or any part of it. All the banks included in the act of assembly authorising the loan were called upon to state the amount they would furnish, and at what rate of interest. In return to these applications about five hundred thousand dollars were offered on loan. The bank of Montgomery county loaned \$60,000, at an interest of  $4\frac{1}{2}$  per cent. and the Farmers' bank of Lancaster loaned \$25,000 at  $4\frac{1}{2}$  per cent. for the unexpired time of their charters. The residue of the sum borrowed was obtained from the Harrisburg and Easton Banks, at an interest of 5 per cent. redeemable at the pleasure of the commonwealth. The whole sum was borrowed independent of, and unconnected with, the obligations of those banks to loan five per cent. of the amount of their capital stock to the state at an interest of five per cent.

It is suggested, for the consideration of the legislature, that hereafter, when money shall be wanted, on loan, for the use of the commonwealth, it could be obtained on more favorable terms, if authority was given to create negotiable certificates of stock of such sums as should be deemed most expedient. The amount borrowed to bear a certain interest, and the certificates not to be redeemable before a period fixed by law. Proposals, for the purchase of this stock, to be invited by public notice and the certificates to issue, in favor of such corporations, or individuals as should give the highest premium. It is believed that, under such provisions, the state could borrow, whatever money it might want at a lower rate of interest, than under the restrictions contained in the act of the last session. It is not thought that the issuing of certificates would be attended by any disadvantage, and that it would be an inducement to purchasers from the facility with which they could be disposed of. This recommendation has not been made by the governor without his having well considered the limitations of the powers of the individual states, which are contained in the tenth section of the first article of the constitution of the United States. He is not aware that the issuing of certificates of such a character as has been suggested, would be an infringement of the section referred to. The whole subject, important and delicate as it is, is submitted, with great confidence, to the wisdom and constitutional knowledge of the general assembly. It is further thought proper to suggest that, in the passing of laws authorising the governor to borrow money for the use of the commonwealth, it would be better not to confine the negotiation for such loans to any particular banks, although it would be safe to provide, that if the sums required could not be obtained on as favorable terms as the banks are obliged, by their charter, to loan to the state, that then the governor might require the banks to make such loans, and to the extent that they are required by their charters to make the same to the commonwealth.

The reports of the Auditor General and State Treasurer, will exhibit such minute, and yet comprehensive details of the receipts and expenditures of the commonwealth, for the past year;

and such data upon which to estimate the probable demands upon the treasury for the next year, and the means to meet those demands, as will put you, gentlemen, in possession of all the facts which, in all probability, will bear upon the financial concerns of the state, and thus enable you to graduate your appropriations so as best to promote the public welfare. You, fellow citizens, will feel with me the heavy responsibility which my station imposes, and that whatever may be our zeal, or anxiety, to perfect a system of internal improvement, especial care should be taken that our finances be kept unembarrassed, and that, in no case, shall expense be incurred without provision being made promptly to meet it. Before I leave this subject, I would take occasion to say, that frequent intercourse with citizens from all parts of the state, induce apprehensions that a feeling of something like jealousy is insinuating itself into the minds of some of our fellow citizens in particular districts, from a belief, that their local interests are not so zealously protected and promoted as those of other portions of their fellow citizens. The existence of such feelings, and the more immediate causes of them, is probably known to you gentlemen, and will keep you vigilant and watchful, that, so far as is possible, the appropriations from the public treasury shall, as equitably as may be, benefit equally all sections of the state. Our fellow citizens, aware of the difficulties by which legislators are surrounded, will do well to guard against prejudices likely to induce distrust of the constituted authorities, founded on a belief that the representatives of the people can be unduly biased, or improperly influenced, to promote particular and local interests, rather than those of a more general and universal character.

In a country like ours, where all power, and the agents of all power, emanate from the great body of the people, the presumption always is, that the representatives of the people will labor, to the best of their judgment and knowledge, to do those things which will benefit all, rather than a part. It is, however, almost impossible so to legislate on internal improvement, as not, in the earlier stages of the business, to appear to favor the interest of certain sections, rather than of the whole state, although thus to legislate shall eventually prove to have been the surest and most certain means to advance the welfare and happiness of all.

In obedience to a resolution adopted by the late general assembly, the governor, soon after its adjournment, appointed three commissioners to discharge the several duties set forth in the resolution, "relative to a revision of the penal code." The arduousness of these duties and their importance, impose much responsibility as well as laborious research and active inquiry on the commissioners. Their report, so soon as received, shall be laid before the legislature. I most anxiously hope that it may be of so full and unexceptionable a character as to warrant you, gentlemen, in acting upon it definitively at your present session. So deep are my convictions of the consequences, good or evil, which must inevitably result from the principles and system



which shall be adopted, that nothing but a desire to leave the subject with the commissioners and the general assembly could induce me to forbear from calling to your attention the high character our commonwealth has already attained from her endeavors, not altogether unsuccessful, to ameliorate her penal code and perfect her penitentiary system. Penal laws should be mild and judiciously graduated, but prompt and certain in operation. A penitentiary system, while its object is not only to punish, but to reform criminals, should always have the latter object in view, so that they may again be made respectable members of society.

It is believed, that under the new organization of the supreme court, a revision of the laws relative to the circuit court system, will claim your deliberate and special attention, and permit me to suggest that an arrangement of the districts for holding the supreme court might be made so as to give additional facilities to the general administration of justice. The United States Supreme Court sit at Washington during the sessions of congress, and it is thought that by the establishment, at this place, of a district, so that the supreme court of the state should hold a term during the sessions of the legislature, opportunities would be afforded of observing the manner in which the public business is transacted, and thus furnishing useful hints for legislative enactments in relation to the administration of justice.

The right of suffrage is one of the most precious rights of man. That it should be exercised in a uniform manner, according to the provisions of the constitution and laws, will not be doubted or disputed. Is it so exercised in Pennsylvania? Do the same qualifications entitle similar persons to vote in all our different counties? Or do different constructions entitle whole classes of persons to vote in one district, whose votes would be rejected in the next? Is the term freeman, so construed in one district as totally to exclude, and in another freely to admit persons of colour to exercise the right of suffrage? Are not other required qualifications so construed as in one county to admit, and in another to exclude, numbers of persons from voting? In some counties the neglect of assessors, or tax collectors, jeopardise the right of individual suffrage, while in others, individuals are permitted to come forward without previous assessment, pay their taxes and vote.

I would earnestly recommend that the numerous laws now in force on these subjects be consolidated into one which shall clearly define the rights of the electors and the duties of the officers of elections, and direct that one copy of the law thus enacted shall be furnished for the use of every election district in the state. While on this subject I would remark, that the increased population of Pennsylvania, calls for the printing of an additional number of the pamphlet laws of the general assembly, or the adoption of some more economical mode in their distribution.

There are other laws, of a generally interesting nature, which embrace the interests of large portions of our fellow citizens, to which I would call your attention. But I presume that the ad-



advantages of reviewing and consolidating in one law all that is desirable, in many laws which relate to a particular subject are so obvious; and the duty of consolidating them promptly so imperative, that the legislature will feel the obligations of duty and the claims of their fellow citizens to be sufficient motives, without any other recommendation. I may however, without obtrusiveness, be permitted again to recommend a thorough revision and consolidation of the laws, rules and practice which prevail in the several Orphans' courts in this commonwealth." The infinitive variety of interests of persons, many of whom are peculiarly entitled to legislative care, and the intrinsic importance of insuring uniformity in the decisions and practice of those courts will be received as abundant apology for again earnestly calling your attention to a subject involving the interests of branches of almost every family in the community.

The manly spirit manifested by our numerous volunteer corps, claims the fostering hand of the constituted guardians of the freedom and happiness of the people. Our volunteer associations may be regarded as the animating evidences of that civic military spirit, which is heroic in defence of our altars and firesides; which will not brook the imprint of a foreign enemy on our soil, and is jealous and intelligent in supervising the conduct, and resisting the unconstitutional encroachment, of any of our military or civil officers who would usurp authority, or feed their ambition at the expense of the freedom of our country. This is a spirit to be cherished by all people who desire peace, and love liberty. The returns of the adjutant general will give such information as to the number of our volunteers, the extent of our military equipments, tents and stores as will greatly assist the legislature to make such further provision as the gallant spirit of our volunteers and their ardent desire to improve in military discipline shall require.

In consequence of information that the United States have withdrawn all military force from Fort Mifflin, I instructed the Secretary of the Commonwealth to address the Secretary of War to ascertain whether the United States would, or would not continue to hold possession of the Fortifications and Island on which they are erected. The letter of the Secretary of the Commonwealth (No 1.) and those of the Chief Engineer (Nos. II & III) accompany this message, that the General Assembly may, with all the lights in my power to obtain, institute such inquiries and adopt such measures, if any shall be found necessary, as may be deemed expedient and proper.

There are facts in relation to our Commonwealth and our common country of so encouraging and heart cheering a character, that I feel strictly in the discharge of my duty when I recall them to the notice of those who are returned as the chosen delegates of the people. The fertility of the soil of Pennsylvania, the salubrity and excellence of her climate, the extent and plenty of her rivers, creeks and springs, and the industry and general good habits of her citizens are sure guarantees of general prosperity and of individual comfort and happiness. Those blessings and sources of

wealth, we have, in common with some of our sister states, but in addition, we have exhaustless beds of the best Iron Ore and of mineral Coal equal in quality and as abundant in quantity as any that are known to exist. The working of those mines has commenced on an extensive scale and is progressing with rapidity and success equal to our most sanguine hopes. From these most useful articles, therefore, we may expect wealth to flow in upon us and that they will essentially contribute to the erection of numerous forges and other valuable buildings and improvements throughout our state.

Highly howsoever, fellow-citizens as we estimate all honorable sources of wealth; and much as it is our duty to labor to make them productive, there is an inheritance above their price, and which as the legacy of our fathers and for its own intrinsic excellence we hold to be inestimable. You will understand me to allude to those sound practical political principles, and priceless institutions of government which were purchased by the best blood of our country. Never were the sublime effect of those principles and institutions more eminently displayed than on a recent remarkable occasion.

We rejoice to see the countries of South America emerging from worse than Egyptian darkness and despotism to enjoy the happiness which results from the pure light of Independance and freedom, and we fervently hope that both may be firmly and happily established. Yet how can we but tremble for them when we see the sword gleam, and hear the battle cry when a Chief Magistrate is to be chosen, or a constitution of government established; and when we see one chief array himself against another, or both are arrayed against the constitutional authorities of their country.

How differently and how much more felicitously is our lot cast. How much more experienced and enlightened is our country! A chief magistrate is to be chosen, candidates present themselves of every side, their friends are ardent and sanguine, the feelings of the people are every where aroused and expectation and ambition are deeply excited. The polls are opened and closed, the votes are counted. Calculations, conjectures and predictions, infinite and irreconcilable are afloat, and hopes and fears alternately animate and depress the friends of the candidates in every state in the Union. At length the choice of the chief magistrate of our country is officially made known and all is again tranquil; all is submission under this constitutional designation of the future President of the United States. Those who advocated and those who opposed, all sit down content, assured that the constitution will be respected and the laws faithfully obeyed.

What a glorious commentary on our political principles and habits! What a happy state of things! What a blessed country! Long, fellow citizens, may we continue thus to enjoy, and thus to deserve, the invaluable political institutions, the foundations of which were laid by our forefathers.

J. ANDW. SHULZE,

*December 6, 1826.*

*To the Secretary of the Commonwealth of Pennsylvania.*

The commissioners appointed by an act of the general assembly, passed the 31st March, 1823, for the improvement of the river Susquehanna, from Columbia to tide, **REPORT:**

That in consequence of the several duties imposed on them, they availed themselves of the first opportunity of disposing of the improvements necessary to be made between Columbia and tide: But owing to some of the improvements of the preceding year not being finished, they were prevented from proceeding with this year's work, with that rapidity they desired. However, they can say, that the contract from the head of the Maryland canal to Peach Bottom, a distance of about four miles, and one at Whistler's bar and Turkey Hill Falls, about one and a half miles, both of which are nearly completed, will, when finished, they feel satisfied, fully prove the practicability of procuring a sufficiency of water to navigate the river at its lowest stage.

It is the intention of the commissioners the ensuing summer to perfect the navigation between the said points of Columbia and tide, so as to correspond with those contracted for, provided the situation of the river will admit.

Also, the said commissioners, under the act of the general assembly, passed 18th March, 1825, making an appropriation for the improvement of the navigation of the river, between the towns of Columbia and Northumberland, **FURTHER REPORT:**

That they made contracts to about the amount of this years appropriation, the most of which were completed, a statement of which, together with the receipts and vouchers are in the auditor general's office.

The commissioners deem it unnecessary at this time to give their views respecting the further improvement of the navigation of the Susquehanna river, as that will be fully exhibited in the report of Mr Trczyulny, engineer, appointed by the commissioners under the authority of a resolution of the general assembly, passed the 7th April, 1826, and who was attended by one or more of the commissioners during the whole time he was engaged in executing the duties assigned him by the said resolution.

The commissioners under a due sense of the responsibility confided to them in the improvement of the navigation of the Susquehanna river, conceive it their duty to report every obstruction placed in the river, to injure the ascending and descending navigation, so that the legislature and the citizens who are interested in a free and uninterrupted navigation of the Susquehanna, may be apprised of the same. Notwithstanding the interest the legislature have taken in the enactment of laws to prevent the obstruction of the navigation by fish dams, wharves and batteries, yet the law is ineffectual or disregarded, particularly between the Cone-wago falls and the Maryland line; for so great is the desire to obtain fish, in disregard of all law and justice, that where the com-

missioners have constructed wing dams, immediately thereafter fish pots have been placed therein, thereby completely destroying the improvement. If the legislature could devise measures that would prevent the evil, it would be rendering essential service to the navigation.

The Pennsylvania canal commissioners, in locating the canal at Hunter's Falls, have enclosed the shore channel, thereby greatly injuring, if not altogether destroying the ascending navigation, at the best stage of the river for boating. As soon as we discovered the obstruction, we communicated the same to Mr. Mowry, the acting commissioner, with our views of what improvement would be necessary to make the navigation of the river as good as it was; and yesterday we examined the premises, and find that there is considerable work done at the large rock; but considerable more is necessary to be done to make the navigation as good as it was. However, Mr. Mowry has stated that those employed by him to remove the obstruction did not proceed with that rapidity that he desired, but that every exertion should be used to have it completed.

The commissioners further state that they are not able to render an account of the expenditures of the exploration, &c. under the authority of the resolution, passed the 7th April, 1826, until after the engineer has completed the duties required by said resolution.

The following exhibits the amount of contracts and expenditures for the current year, on the appropriations from Columbia to tide, and from Columbia to Northumberland, the proper vouchers are filed in the office of the auditor general, to which they respectfully refer.

JABEZ HYDE, jr.  
JOHN M'MEENS,  
SAMUEL H. WILSON.

*November 22, 1826.*

Jabez Hyde, jr. John M'Meens and Samuel H. Wilson, commissioners appointed to explore the Susquehanna river, from Columbia to tide water, and improve the navigation thereof, per act of 31st of March, 1823,

DR.

To balance on account settled 17th November, 1825,

\$ 592 48½

To this sum received from the state treasurer at different times, on governor's warrants.

7,000 00

7,592 48½

## CR.

By expenditures from Columbia to tide, on unfinished contracts for 1825, per contracts filed from No. 1 to 11, inclu- sive.	\$1,591 25
By do. for contracts for the year 1826, per contracts filed from No. 1 to 7, inclu- sive,	5,470 00
By paid contracts, Nos. 1 and 2,	75 00
By York Shore contracts for 1825, from No. 1 to 3, inclusive,	110 03
By timber, &c. for wing dams, per vouch- ers from No. 1 to 19, inclusive,	1,512 53½
By expenses exploring, making sales, &c. &c. for 1826, per vouchers from No. 1 to 26, inclusive,	180 80½
	<hr/>
	\$ 6889 59½
Deduct amount paid by the Maryland commissioners, (being half the amount paid on contracts,)	4,389 79
	<hr/>
	\$ 4,499 80½
By pay and incidental expenses of com- missioners,	1,019 00
	<hr/>
	5,518 80½
	<hr/>
Due commonwealth,	\$ 2,073 68½

Settled and entered.  
DAVID MANN, }  
*Auditor General's Office,*  
*November 24, 1826.*

Approved and entered.  
JOHN NIELSON,  
For Wm. Clark, Treas'r.  
*November 24, 1826.*

*Auditor General's Office, November 24, 1826.*

I certify the foregoing to be a true copy of the original  
[L. s.] on file in this Office. Witness my hand and seal of  
office, the day and year aforesaid.

DAVID MANN,  
*Auditor General.*

Jabez Hyde, jr. John M'Meens, and Samuel H. Wilson, commis-  
sioners appointed to explore the Susquehanna river, from the  
town of Columbia to the town of Northumberland, per act of  
25th March, 1825,

## DR.

To this sum, received from the state treasurer at different times, per govern- or's warrants,	\$ 9,000 00
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## CR.

By expenditures from Columbia to North- umberland, on unfinished contracts for 1825, per contracts filed from No. 1 to 10, inclusive,	\$ 3,005 75
By do. on contracts from same points, for 1826, per contracts filed from No. 1 to 10, inclusive,	5,695 00
By expenses exploring, making sales of contracts, &c. &c. for 1826, per vouch- ers from No. 1 to 22, inclusive,	159 70½
	<hr/> 8,849 45½
By pay and incidental expenses of com- missioners,	989 50
	<hr/> 9,749 95½
Balance in favor of commissioners,	\$ 749 95½

Settled and entered.  
DAVID MANN. }  
*Auditor General's Office,*  
*November 24, 1826.*

Approved and entered.  
JOHN NIELSON,  
For Wm. Clark, Treasr'.  
*November 24, 1826.*

*Auditor General's Office, Nov. 24, 1826.*

I certify the foregoing to be a true copy of the original on  
[L. S.] file in this office. Witness my hand and seal of office,  
the day and year aforesaid.

DAVID MANN,  
*Auditor General.*

## SECRETARY'S OFFICE,

*Harrisburg, September 15, 1826.*

SIR—By an act of assembly of Pennsylvania, of the 15th April, 1795, (a copy of which is herewith transmitted) the right of this commonwealth to the island (then) called Mud Island, in the river Delaware, with all the improvements at that time on the same, was ceded to the United States, with the reservation, however, "that the state of Pennsylvania might at all times occupy the said island and fortifications whenever the same should not be possessed by a military force under the United States."

Information having been received by the governor, that the military force and property of the United States, have been withdrawn from the island and fort, now known by the name of Fort Mifflin, and that the works have been entirely abandoned, as a military post, I am instructed to inquire if such is the case, and if so, whether it is intended by the war department to again occupy them for military purposes, or if any objection will be made on the part of the United States, to the island and fortifications being taken possession

of, and occupied by the state, agreeably to the proviso in the act of assembly referred to.

The island and works may be of considerable importance to Pennsylvania in various ways: —As a place of training volunteer, artillery and other corps; as a depot for military stores of the state; and if the fortifications are kept in a proper state of repair and preservation, as a defence to Philadelphia in time of war. The object, therefore, in making these inquiries is, in case the island and fort are no longer to be held by the United States as a military post, and no objection is offered to their being occupied by the state, that such immediate measures may be taken for the latter purpose, and to prevent injury and destruction to the buildings and works, which will necessarily be very much exposed and liable to depredations, as may be considered necessary and proper, and within the power of the executive. I shall be gratified to receive a reply as early as convenient.

I have the honor to be,

Very respectfully,

Your obedient servant,

I. D. BARNARD.

*Hon. James Barbour,  
Secretary of War.*

#### ENGINEER DEPARTMENT,

*Washington, September 20th, 1826.*

*I. D. Barnard, Esquire,  
Harrisburg, Pennsylvania.*

SIR—Your communication addressed to the secretary of war, under date of the 15th instant, desiring to know the views of the government, in regard to the disposition of Fort Mifflin, has been received, and referred to this department.

The secretary of war is now at his seat in Virginia and is not expected to return to Washington for some weeks. In his absence, I cannot give you any certain information with respect to the object of your inquiries, except so far as to state that it is very probable Fort Mifflin will be retained by the United States, in its present state, as a second barrier in the plan of fortifications projected for the defence of the river Delaware; though it is not deemed of such importance in this respect, as to deserve any additional expense for its improvement.

Upon the arrival of the head of the war department at the seat of government, no time will be lost in submitting your communication to him, and making known to you the views of the government in relation to the subject of it.

I am, very respectfully,

Sir,

Your obedient servant,

ALEX. MACOMB,

Maj. Gen. Ch. Eng'r.



## ENGINEER DEPARTMENT,

*Washington, October 6, 1826.*

*I. D. Barnard, Esquire,  
Harrisburg, Pennsylvania.*

In my letter to you of the 20th ultimo, in reference to the subject of your communication to the secretary at war, of the 15th of the same month, I stated the probable views of the government, in regard to Fort Mifflin; and that on the return of the secretary of war to Washington, the matter would be submitted for his decision. This has been done; and the views presented in my letter have been confirmed.

I am, with great respect,  
Your obedient servant,  
**ALEX. MACOMB,**  
Maj. Gen. Ch. Eng'r.

## PENNSYLVANIA LOAN.

*Secretary's Office May, 1, 1826.*

## NOTICE IS HEREBY GIVEN,

That in pursuance of the provisions of an act of the Legislature, authorizing the Government to borrow a sum not exceeding three hundred thousand dollars, passed the first day of April, 1826, entitled "An act authorising a loan for the commencement of the construction of the Pennsylvania canal, and for other purposes," sealed proposals for lending to the commonwealth of Pennsylvania, the sum of three hundred thousand dollars, or so much thereof as may be required by the state, will be received at this office until the first day of June next. It is required that the proposals shall specify the sum which the parties are willing to loan, and at what rate of interest, not exceeding five per centum per annum, payable half yearly. The principal to be re-imbursable at the option of the commonwealth, at any time after the expiration of twenty years from the first of December, 1826.

The money offered to be lent, if the proposals are accepted, is to be paid into the State Treasury, or deposited in the Bank of Pennsylvania, to the credit of the commonwealth, and upon the production of the Treasurer's or Cashier's receipt certificates of the stock will be signed by the Auditor General and countersigned by the State Treasurer, transferable either on the books of the Auditor General, or at the Bank of Pennsylvania.

**I. D. BARNARD.**  
*Sec'y of the Com'th.*

## PENNSYLVANIA CANAL LOAN.

*Additional Notice.*

By reason of information just received from the Board of Canal Commissioners, further notice is hereby given, that the sum, of \$300,000, to be borrowed by the governor, agreeably to the no-



tice from this office of the 1st inst. will be called for as follows, to wit: a sum not to exceed \$50,000, at any time after the 1st of July next, and the residue of said money, in such sums, and at such times, as the same may be wanted by the state, upon giving one month's notice thereof to the lender; but not more than \$100,000, to be drawn in any period of thirty days. The interest to commence when the money, as called for, is deposited to the credit of the commonwealth.

I. D. BARNARD,  
Sec'y of Com'th.

Harrisburg, May 8, 1826.

Philadelphia, May 30, 1826.

SIR—In pursuance of your letter of the 1st and public notices issued from the "Secretary's Office," under dates of the 1st and 19th instant, to receive proposals for a loan of three hundred thousand dollars to the commonwealth, to bear an interest not exceeding five per cent. per annum, and re-imbursable at the option of the Government, any time, after the 1st of December, 1846, we hereby offer on behalf of the Philadelphia Bank, and the Farmer's and Mechanic's Bank of Philadelphia, to loan the whole sum of three hundred thousand dollars, and to give for the same a premium of three and five eighths per cent. that is to say, at the rate of one hundred and three dollars and 62½ cents for each and every hundred dollars of stock received to that amount.

We are very respectfully,

Your obedient servants,

JOHN REED,

President of the Philadelphia Bank.

J. TAGERT,

President of the Farmer's and  
Mechanic's Bank.

I. D. BARNARD, Esq.  
Secretary.

Harrisburg, June 2, 1826.

GENTLEMEN—I am directed to inform you, that the Governor has accepted of the proposals, offered by you, under date of the 30th of May, 1826, to loan to the commonwealth, the sum of three hundred thousand dollars, upon the terms and conditions contained in the notices from the Office of the Secretary of the commonwealth of the 1st and 19th ult. of which the foregoing are copies, upon your paying therefor a premium of three and five eighths per cent., that is, at the rate of \$103 62½, for every hundred dollars of stock.

I am with much respect,

Your obedient servant,

I. D. BARNARD.

To JOHN REED and JOSEPH TAGERT, Esqrs.

Presidents of the Philadelphia and

Farmer's and Mechanic's Banks.

## SECRETARY'S OFFICE.

*Harrisburg, May 1, 1826.*

**SIR**—In pursuance of the provisions of an act of assembly of the 1st of April, 1826, entitled "An act authorising a loan for the commencement of the construction of the Pennsylvania Canal, and for other purposes," by which the governor is authorised to borrow, on the faith of the commonwealth, a sum not exceeding \$200,000, of the banks, the charters of which provide, that they shall loan certain sums to the state, when required by law so to do, on conditions set forth in said charters, proposals will be received in writing, at this office, any time prior to the first day of June next, from the bank of which you are president, for lending to the commonwealth of Pennsylvania, the said sum of \$200,000, or any part thereof, for the unexpired term of the charter of said bank. The money loaned to be drawn from the bank in four equal instalments, on the first Mondays of July, October, January and March next; the interest to commence at those periods, and to be paid half yearly. The proposals will state what amount of said sum your bank is willing to loan, and at what rate of interest, not exceeding five per cent. per annum. It will be understood, that if the sums offered to be loaned by the several banks, shall amount to more than \$200,000, the governor may, at his discretion, accept the whole or any part of the sum which your bank may offer to lend to the commonwealth. If the proposals from your bank shall be accepted, due notice thereof will be given, and the requisite certificates furnished.

And notice is hereby given, agreeably to the provisions of the 8th section of the act of the 25th of March, 1824, entitled "An act to recharter certain banks," that the bank of which you are president is required to loan to the commonwealth, on the (here was inserted the time at which the money was required from the bank,) the sum of five per cent. of its capital stock actually paid in, under, in pursuance of, and agreeably to the terms and conditions contained in said act, if the same, or any part thereof shall be required by the governor, on behalf of the state, from a failure to obtain the \$200,000 by loan, on the proposals above mentioned.

Be pleased to acknowledge the receipt of this notice as early as convenient.

Very respectfully,

Your obedient serv't.

ISAAC D. BARNARD.

To the president of the }  
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*Lancaster, May 17, 1826.*

**DEAR SIR**—Your letter of the 1st inst. was laid before the board of directors of the Farmers Bank of Lancaster at their last

Dec. 6.

THE SENATE.

29

sitting, and they have instructed me, as president of the said bank, to offer you a loan of \$25,000, at four and a half per cent. per annum.

Very respectfully,

Yours, &c.

WILLIAM JENKINS.

*I. D. Barnard, Esq.*

*Secretary of Com'th.*

*Harrisburg, June 5, 1826.*

DEAR SIR—I am instructed by the governor to inform you, that he has accepted of the proposals offered by the Farmers Bank of Lancaster, to loan to the commonwealth the sum of \$25,000, at an interest of four and a half per cent. per annum, on the terms and conditions contained in my letter to the bank of the 1st of May last. I am further directed to enquire whether it will be more convenient for your bank, that the *whole* of said sum should be drawn by the state on the first of July next than to draw the same in four equal instalments, as mentioned in my letter, as the state will receive the whole of the sum offered to be loaned, and the interest to commence, on that day, if the bank shall prefer it. Your early reply on this subject is requested.

I am very respectfully,

Your obedient servant,

I. D. BARNARD.

*William Jenkins, Esq pres't.*

*of the Farmers Bank of Lancaster.*

*Lancaster, June 9, 1826.*

DEAR SIR—I received your letter of the 5th inst. stating that the governor had accepted our proffered loan of \$25,000, at 4½ per cent. and desiring to be informed whether it would be equally convenient for the bank to pay the whole of it on the 1st of July next, bearing interest from that date. In answer to which I am instructed to say, that the state can draw the whole of it on that day if they think proper, and that, so far as respects the bank, it is perfectly convenient, and more desirable, as the whole of the money will be bearing interest from that date. Further, I am instructed to say, you can have \$25,000 more, at 5 per cent. payable the 2d October, or in instalments, as mentioned in your first letter, if you should see cause to receive it on these terms.

I am very respectfully,

Your obedient servant,

WILLIAM JENKINS.

*I. D. Barnard, Esq.*

*Secretary Commonwealth.*

*Harrisburg, June 12, 1826.*

DEAR SIR—Your letter of the 9th instant has been received, stating that it would be more desirable to the Farmers' Bank of

Lancaster that the whole sum of \$25,000, borrowed by the state, should be drawn at one time—You will therefore deposit that sum in your bank to the credit of the commonwealth, on the first Monday of July next, on which day the interest will commence.

I am, respectfully,

Your obedient servant,

I. D. BARNARD.

*William Jenkins, Esquire,*

*President of the Farmers' Bank of Lancaster.*

### BANK OF MONTGOMERY COUNTY.

*May, 20th, 1826.*

DEAR SIR—We have enclosed the resolution of the directors of this bank, on the subject of a loan to the commonwealth, mentioned in your favor of the first instant.

Very respectfully,

Your's, &c.

JOS. THOMAS, Pres't.

*I. D. Barnard, Esquire,*

*Sec'y. Com'th. Pa.*

At a full meeting of the board of directors of the Bank of Montgomery county, held at the banking house, on the twentieth day of May, A. D. one thousand eight hundred and twenty-six, the following resolution was passed, and ordered that it be signed by the president and countersigned by the cashier, the seal of the corporation be thereto affixed, and transmitted to the secretary of the commonwealth, to wit.

Resolved, That this bank will lend to the commonwealth of Pennsylvania, for the unexpired term of its charter, the sum of sixty thousand dollars—to be drawn by the commonwealth from the bank in four equal instalments, on the first Mondays of July, October, January and March next.—Interest to commence at those periods, and to be paid half yearly, at the rate of four and three quarters per cent. per annum.

JOS. THOMAS, Pres't.

{ Seal of the bank of }  
{ Montgomery county. }

D. WOLMER, Cash'r.

*Harrisburg, June 5th, 1826,*

DEAR SIR—I am instructed by the governor to inform you, that he has accepted of the proposals offered by the Bank of Montgomery county, to loan to the commonwealth the sum of \$60,000, (in part of the sum of \$200,000, authorised to be borrowed by him) for the unexpired term of the charter of said Bank, at the rate of four and three quarters per cent. interest, per annum, to be paid half yearly—to be drawn from the said Bank in four equal

instalments, on the first Mondays of July, October, January and March next;—the interest to commence at those periods.

I am, with much respect,  
Your obedient servant,

I. D. BARNARD.

*Joseph Thomas, Esquire,  
President of the Bank of Montgomery county.*

### HARRISBURG BANK,

*May 18th, 1826.*

SIR—Your letter of the first instant, on the subject of a loan to the commonwealth, was received by me at Lancaster, and on my return submitted to the board of directors of the Harrisburg Bank, who directed the following answer to be given.

The Harrisburg Bank agrees to loan to the commonwealth, one hundred thousand dollars, in four equal instalments, at the respective times mentioned in your communication, at an interest of five per cent. per annum, payable semi-annually, and on the condition that the several principal sums so loaned, be paid and reimbursed on the first Wednesday of May, 1837; and provided, that if this loan is not accepted or agreed to by the commonwealth, that then this institution will be ready to comply with the requisitions contained in the eighth section of the act of general assembly, passed the 25th of March, 1824, entitled, "An act to re-charter certain Banks."

Your answer as early as circumstances will admit, will confer a favor on

Sir,

Your's respectfully,  
THO. ELDER, Pres't

*Hon. Isaac D. Barnard,  
Sec'ty of Com'wealth.*

*Harrisburg, June 18th, 1826.*

SIR—Your letter of the 18th ult. containing proposals for a loan to the commonwealth, by the Harrisburg Bank, has been received, and I am instructed to inform you that the governor will accept, on behalf of the state, a loan from said Bank, of fifty thousand dollars, at an interest of five per cent. per annum, payable half yearly, for the unexpired term of the charter of said Bank, reserving, however, the right to the state to re-imburse the principal sum, or any part thereof, at any time within the said period. The amount of said loan to be deposited to the credit of the commonwealth, as follows, to wit:—Ten thousand dollars on the first Monday of July next; thirty thousand dollars on the first Monday of October next, and the remaining ten thousand dollars on the first Monday of January next; the interest to commence at those periods. Be pleased to inform me as early as you conveniently can, whether the Bank will make the loan on said terms—If made, you

will then consider the notice given in my letter of the first of May last, agreeably to the provisions of the act of the 25th March, 1824, entitled, "An act to re-charter certain Banks," as withdrawn and annulled.

I am, very respectfully,  
Your obedient servant,

I. D. BARNARD.

*Thomas Elder, Esquire,  
President of the Harrisburg Bank.*

### HARRISBURG BANK,

*June 14th, 1826.*

SIR—This institution agrees to make the loan of fifty thousand dollars to the commonwealth, on the terms specified in your communication of the 10th instant, and will give the proper credits in Bank, as may be requested, on the receipt of the usual script or certificates for the money, &c.

I am, sir, with respect,  
Your obedient servant,

THO. ELDER.

*Hon. Isaac D. Barnard,  
Sec'y of Com'wealth.*

### EASTON BANK,

*20th May, 1826.*

*The Honorable I. D. Barnard,  
Sec'y of the Common'th.*

SIR—I have the honor to acknowledge the receipt of your letter of the first instant. Mr. Sitgreaves, the president of this institution's indisposition, and long confinement to his house, prevents his answering you himself.

I am instructed to offer on the part of the Easton Bank, to loan to the commonwealth for the unexpired term of the charter of this Bank, fifty thousand dollars, at the rate of five per cent. per annum, to be drawn from hence in four equal instalments, on the first Mondays of July, October, January and March next;—the interest commencing at those periods, payable half yearly,

I am, sir, very respectfully,

Your most obedient servant,

THO. M'KEEN, Cash'r.

*Harrisburg, June 15th, 1826.*

SIR—Your letter of the 20th ult. containing proposals from the Easton Bank. for a loan to the commonwealth, has been received, and I am instructed to inform you that the governor will accept, on behalf of the state, a loan from said Bank, of twenty five thousand dollars, at an interest of five per cent. per annum payable half yearly, for the unexpired term of the charter of the said Bank; reserving, however, the right to the state to re-imburse the principal sum, or any part thereof, at any time within the said period.

**Dec. 6.**

**THE SENATE.**

**35**

The whole amount of said sum to be drawn by the state, on the first Monday of January next, on which day the interest to commence. Be pleased to inform me as early as you can conveniently, whether your bank will make the loan on said terms—if made, you will then consider the notice in my letter of the first of May last, agreeably to the provisions of the 8th section of the act of March 25th, 1824, entitled, "An act to re-charter certain Banks," as withdrawn and annulled.

I am, very respectfully,

Your obedient servant,

**I. D. BARNARD.**

*Thomas M'Keen, Esquire,*

*Cashier of the Easton Bank.*

**EASTON BANK,**

*June 17th, 1826.*

*The Honorable*

*I. D. Barnard.*

SIR—Your letter of the 18th instant, was submitted to the directors of this Bank; and I am instructed to inform you that the Easton Bank is willing to make the loan of twenty-five thousand dollars, to the commonwealth, at five per cent. per annum, payable half yearly, the principal to be redeemed at the pleasure of the state, conformably to your letter of the first May last.

I am, sir, very

Respectfully, your

Most obedient servant,

**THO. M'KEEN, Cash'r.**

Laid on the table.

On motion of Mr. Hawkins and Mr. Seltzer,

Ordered, That three hundred copies of the above message be printed for the use of the Senate.

On motion,

The message of the governor was referred to Messrs. Hawkins, Hay, Ogle, Logan and Herbert, to arrange its several items.

Adjourned until 11 o'clock, to-morrow morning.

**THURSDAY, December 7, 1826.**

Mr. Dunlop appeared and took his seat.

Mr. Duncan presented the petition of sundry citizens praying for the passage of an act incorporating the American Sunday School Union, which was read and referred to Messrs. Duncan, Sullivan and Leech.

Mr. Sutherland presented the petition of sundry venders of lottery tickets in Philadelphia, praying for the passage of an act regulating the sale of lottery tickets, within this commonwealth, which was referred to Messrs. Sutherland, Dunlop Garber, Moore and Hay.

Mr. Mann presented the petition of the Grand Jury and members of the Bar, of Montgomery county, praying that the times of holding their courts be changed, which was referred to the committee on the Judiciary System.

Mr. Schall presented a petition and documents of Mathias Rehr, of Berks county, a soldier of the revolution, praying for relief which was referred to the committee on claims.

Mr. Dunlop presented the petition of John Deitz, Jr. praying to be appointed printer of the Journal in the German language, and offering as sureties, Philip Bulin, David Washebough, James Walker, and Frederick Smith, Esqrs.

The Speaker laid before the Senate a letter from Jacob Stoever, proposing to print the Journal in the German language, and offering as sureties, George Seltzer, and Philip Wolfersberger, Esqrs.

The Speaker laid before the Senate a letter from John De Pui praying to be re-elected Clerk of the Senate, said petition and letters were read and laid on the table.

On motion of Mr. Herbert and Mr. Winter,

An item of unfinished business, to be found on page 352 of the Journal of last session, relative to granting to Daniel Sweeny a tract of donation land, as assignee of Benjamin Beaver, together with the petition of Benjamin Beaver, presented yesterday, were referred to the committee on claims.

On motion of Messrs. Ogle and Kerlin,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the committee on the judiciary system, be instructed to inquire into the expediency of repealing the act enti-



**Dec. 7.**

**THE SENATE.**

tled "An act to prohibit, in courts of justice, the reading or quoting of British precedents, subsequent to the 4th July, 1776.

On motion of Mr. Ogle and Mr. Garber,

The following resolution was twice read, considered and negatived, viz.

Resolved, That each member of the Senate be furnished with two additional copies of the Journal, for the purpose of distributing them among his constituents; and that the committee of accounts settle the printer's bill for the same, in such manner as may appear reasonable, in proportion to those already contracted for.

Agreeably to order,

The Senate proceeded to the election of clerk, (Mr. Audenried and Mr. Kerlin being first appointed tellers,) and upon ascertaining the votes, it appeared that John De Pui had twenty-eight votes and was therefore declared unanimously elected. The requisite affirmations were then administered to him by the Speaker.

The Clerk then nominated Henry W. Snyder for his assistant, which nomination was approved of by the Senate.

Agreeably to order,

The Senate proceeded to the election of sergeant-at-arms, (the clerks being first appointed tellers,) and upon ascertaining the votes, it appeared that William Shannon was unanimously elected, to whom the requisite oaths were administered by the Speaker.

Agreeably to order,

The Senate proceeded to the election of door-keeper (tellers as before,) and the votes being taken, were as follow, viz.

Messrs. Althouse, Audenried, Duncan, Dunlop, Garber, Hambright, Hay, Hunt, Kerlin, Kitchin, Ogle, Ray, Schall, Seltzer Winter, 15—voted for Robert Dickey.

Messrs. Hawkins, Knight, Leech Mann, Moore, Sturgeon, and Sullivan, 7—voted for Thomas Irons.

Messrs. Hamilton, Herbert, Logan, Sutherland, and Mahon, Speaker, 5—voted for John Wilson.

Mr. Petrikin, 1—voted for Benjamin L. M'Carty.

So it appeared that Robert Dickey had a majority of the whole number of votes, and was duly elected.

Agreeably to order,

The Senate proceeded to the election of printers of the Journal in the English language, and upon ascertaining the votes, it appeared, that Cameron and Krause were unanimously elected.

Agreeably to order,

The Senate proceeded to the election of printer of the Journal in the German language, (tellers as before) and the votes being taken, were as follow, viz.

Messrs. Andenried, Duncan, Garber, Hay, Hunt, Kerlin, Kitchin, Knight, Leech, Mann, Moore, Ogle, Petrikin, Schall, Sturgeon, Sullivan, Sutherland and Mahon, speaker, 18—voted for Schneider and Myers.

Messrs Herbert, Ray and Winter, 3—voted for Charles L. Hutter.

Messrs. Allshouse and Seltzer, 2—voted for Jacob Stoever.

Messrs. Hambright and Logan, 2—voted for Baab & Villee.

Mr. Dunlop, 1—voted for John Deitz.

Mr. Hambright, 1—voted for Benjamin Grimler.

So it appeared that

Schneider & Meyers had	18 votes.
Charles L. Hutter had	3 do.
Jacob Stoever, had	2 do.
Baab & Villee, had	2 do.
John Deitz, had	1 do.
Benjamin Grimler, had	1 do.

Schneider & Meyers having a majority of the whole number of votes, were declared to be duly elected printers of the Journal in the German language.

Agreeably to order,

The Senate proceeded to the election of printer of the bills (tellers as before,) and upon ascertaining the votes, it appeared that John Wyeth was unanimously elected.

Ordered,

That the Clerk inform the Secretary of the commonwealth, of the result of the election for printers of the English and German Journal, and of the Bills of the Senate, in order that the requisite securities may be taken for the faithful performance of the work.

Adjourned until 11 o'clock, to-morrow morning.

**FRIDAY, December 8, 1826.**

Mr. Kerlin presented two petitions of similar tenor from sundry citizens of Delaware county, praying the legislature to repeal so much of the law, regulating the election of constables, as prohibits any person from serving as constable more than three years out of six, so far as respects said county.

Which were referred to the committee on the judiciary system.

Mr. Leech presented the petition and documents of Comfort Budge, of Orawford county, praying for the passage of a law, vesting in her the right of the commonwealth to the estate of her illegitimate daughter, Rebecca Clark, late of said county.

Which were referred to Messrs. Leech, Hunt and Kitchin.

Mr. Hunt presented the petition of Jacob Zook, of Chester county, praying for the passage of an act enabling him to sell and convey certain real estate.

Which was referred to Messrs. Hunt, Kerlin and Seltzer.

The Clerk of the House of Representatives being introduced, presented two extracts from the journal of that house, which were read as follow, viz:

*In the House of Representatives.*

*December 6, 1826.*

On motion,

Resolved, That Messrs. Denny, Kerr and Cummin, be a committee to take under consideration the propriety and the manner of electing chaplains to the general assembly, and to confer thereupon with a committee from the Senate, if the Senate should appoint such a committee.

*In the House of Representatives,*

*December 6, 1826.*

Resolved, That Messrs. Ihrie, Bertolet and Nicholson, be a committee, on the part of this house, for the purposes expressed in the act of assembly, entitled "An act for the better preservation and increase of the library of this commonwealth."

Laid on the table.

On motion of Mr. Ogle and Mr. Garber,

The Senate proceeded to the nomination of candidates to supply the vacancy which will occur on the 4th of March next, in the representation of this state in the Senate of the United States,

in consequence of the expiration of the term for which the present member, William Findlay, was chosen.

Whereupon,

Mr. Mann nominated	Isaac D. Barnard.
Mr. Kitchin,	Samuel D. Ingham.
Mr. Audenreid,	Joel B. Sutherland.
Mr. Hamilton,	George B. Porter.
Mr. Herbert,	Alexander Mahon.
Mr. Ogle,	Thomas Sergeant.
Mr. Hambright,	James Buchanan.
Mr. Kerlin,	Joseph Hemphill.

And Mr. Herbert was appointed to officiate as teller at the election on Tuesday next, on the part of the Senate.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Speaker laid before the Senate a letter, accompanied with a document, from Joshua Dickerson, secretary of the land office, which were as follow, viz.

#### LAND OFFICE,

December 8th, 1826.

*The Hon. Alexander Mahon,*

*Speaker of the Senate.*

SIR—Agreeably to law I herewith enclose for the information of the Senate, a report of the business transacted in the Land Office, within the year ending the 30th day of November last.

Very respectfully,

Your obedient servant,

JOSHUA DICKERSON

*Sec'ry Land Office.*

*To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met.*

In conformity to the requisitions of the several acts of assembly, in that case made and provided, I respectfully report to the Senate the situation of the Office of the Secretary of Land Office, and also the business done in the office during the year, ending with the 30th day of November, 1826.

*Business done for which no fees are receivable.*

377 Patents written, sealed, &c.

277 Patents recorded,

364 Returns from the surveyor general filed,

320 Orders to the surveyor general for returns,

44 Warrants to accept surveys issued,

212 Warrants to survey issued,

812 Applications for new warrants entered and filed,

- 17 Applications for islands entered and filed,
- 9 Warrants to survey islands,
- 720 Calculations of amounts due,
- 720 Certificates to the treasurer of amounts due on lands,
- 720 Treasurer's receipts entered and delivered to the auditor general,
- 356 Vouchers, written and filed,
- 364 Tickets from the surveyor general filed,
- 720 Accounts journalised,
- 720 Accounts posted and indexed,
- 23 Mortgages and bonds written and executed,
- 560 Entries in the fee book,
- Transcribing the same quarterly, and settling with the auditor general,
- 23 Minutes of the board of property recorded and indexed,
- 38 Transcripts of entries of warrants, &c. for the use of the surveyor general's office,
- 2320 Searches for the use of the surveyor general's office,
- Business done in the office from the 1st of October, 1825, to the 1st of October, 1826, for which fees were received,
- 168 Searches,
- 116 Calculations,
- 109 Exemplifications of patents,
- 68 Office copies with seals,
- 14 Cavaets entered,
- 11 Citations issued,
- 26 Certificates, discharge of liens,
- 13 Orders for re-survey,
- 17 Orders for valuing islands,
- 18 Judgments of Board of property.

(Of the balance of the appropriation for clerk hire, for the year 1825, which remained unexpended on the first of October of that year, there was expended in compensating clerks, to the 1st of April, 1826, the sum of \$1,615, leaving unexpended three hundred and seventy dollars.

By the act of the 7th of April, 1826, there was appropriated for clerk hire for one year, commencing the 1st April, \$2,000, which sum, with the permanent appropriation, amounts to \$3,600, out of which there has been expended for clerk hire, up to the 1st of October, sixteen hundred and forty-nine dollars and ninety-six cents, leaving unexpended nineteen hundred and fifty dollars and four cents, to compensate clerks, to the 1st of April, 1827.

Of the appropriation for the contingent expenses of the office, for the year 1825, there was expended from the 1st of October, 1825, to the 1st of April, 1826, the sum of \$168 and 8 cents, leaving a balance unexpended of 146 dollars and 45 cents. By the act of April, 1826, there was appropriated, for the contingent expenses of the office, for the year commencing 1st of April, 750 dollars, of which there has been expended, up to the 1st of October, 361 dollars and 38 cents, leaving a balance unexpended, to

meet the contingent expenses, to the 1st of April, 1827, of 388 dollars and sixty-two cents.

Contingent expenses of the office from the 1st of October, 1825, to the 1st of October, 1826.

Paid for paper, parchment, and printing,	\$290 12
Postage on letters on public business,	23 99
Stationary,	33 04
Messenger's wages,	132 00
Fuel,	35 97
Washing office, repairing stove, &c.	15 26
	<hr/>
	\$530 38

As respects the state of the office, I can merely state, that the account books are posted, the warrants entered, and the record books indexed up to the present time.

All which is respectfully submitted, by

Your obedient servant,

JOSHUA DICKERSON,

*Secretary Land Office.*

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

## SATURDAY, December 9, 1826.

Messrs. Power and Ryon appeared and took their seats.

Mr. Herbert presented the petition of the commissioners, register, recorder, prothonotary, and members of the bar of Adams county, praying for the passage of a law authorising certain dockets, containing the records of the courts of common pleas, of Adams county, to be transcribed, under the inspection of the prothonotary, at the expense of said county.

Which was referred to Messrs. Herbert, Seltzer and Leech.

Mr. Mann presented the petition and documents of Mary Hollman, of Montgomery county, widow of a revolutionary soldier, praying for relief.

Mr. Hambright presented the petition of Catharine Shirtzer, of Lancaster county, widow of a revolutionary soldier, praying for relief.

Said petitions and documents were referred to the committee on claims.

Mr. Hawkins presented the petition of sundry inhabitants of Greene and Fayette counties, praying for the passage of a law regulating the rates of ferriage, at the ferry over the Monongahela river, between the towns of Greensburg and New Geneva, in Greene and Fayette counties.

Which was referred to the members from the counties of Fayette, Greene and Washington.

Mr. Hawkins presented the petition of sundry inhabitants of Fayette and Greene counties, praying for a state road from Haydentown, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in a direction to Fishing creek.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Sutherland presented the petition and documents of William Scott, of the city of Philadelphia, praying for relief.

Which was laid on the table.

Mr. Mann, from the committee on claims, reported bill No. 2, entitled

"An act for the relief of Mathias Rehr, a soldier, and Hannah Margaret Kimmell, the widow of a soldier of the revolution."

Mr. Leech, from the committee on the subject, on leave given, reported bill No. 3, entitled

"An act to vest in Comfort Budge, the right of this commonwealth to the real and personal estate of her illegitimate daughter, Rebecca Clark, late of the borough of Meadville, in the county of Crawford."

Mr. Duncan, from the committee on the subject, on leave given, reported bill No 4, entitled

"An act to incorporate the trustees of the American Sunday School Union."

Mr. Knight, from the committee on the subject, on leave given, reported bill No. 5, entitled

"An act authorising the sale and conveyance of the right of the heirs of George Taylor, to a tract of land in Washington county."

\* Mr. Hawkins, from the committee on the judiciary system, reported bill No. 6, entitled

"An act to alter the time of holding the courts in the seventh judicial district."

Said bills were read the first time.

Mr. Hawkins, from the committee, appointed to arrange the

several items of the governor's message, recommended the adoption of the following resolutions, viz.

Resolved 1st, That so much of the message as relates to improvements by way of inland navigation generally, be referred to the committee on roads, bridges and inland navigation.

Resolved 2d, That so much of the message as relates to negotiable certificates of stock and to borrowing of money, be referred to a special committee.

Resolved 3d, That so much of the message as relates to a revision of the circuit court system, and the establishment of a district of the supreme court at the seat of government, be referred to the judiciary committee.

Resolved 4th, That so much of the message as relates to a revision of the election law, be referred to a special committee.

Resolved 5th, That so much of the message as relates to printing an increase of the number of the pamphlet laws of the general assembly, and the adoption of some more economical mode of distribution, be referred to a special committee.

Resolved 6th, That so much of the message as relates to the revision and consolidation of the laws, rules and practices which prevail in the several orphans' courts, be referred to the judiciary committee.

Resolved 7th, That so much of the message as relates to volunteer corps, and to the fortifications at Fort Mifflin, be referred to the committee on the militia system.

On motion of Mr. Hawkins and Mr. Mann,

The resolutions were read the second time, considered and adopted.

Ordered, That Messrs. Ogle, Sutherland, Ryon, Hunt and Ray, be the committee for the purpose expressed in the 2d resolution.

Ordered, That Messrs. King, Allshouse, Dunlop, Schall and Hay, be the committee for the purpose expressed in the 4th resolution.

Ordered, That Messrs. Kerlin, Audenried, Moore, Power and Hamilton, be the committee for the purposes expressed in the 5th resolution.

Mr. Hamilton read in his place, and on leave given, presented to the chair, bill No. 7, entitled,

"An act to authorise the making of an index to the road dockets, in the office of the clerk of the court of quarter sessions of Lancaster county

Said bill was read the first time.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of that House, which was read as follows:



*In the House of Representatives,  
December 9, 1826.*

Agreeably to the order of the day, the House proceeded to the nomination of candidates to be voted for on Tuesday next, to fill the vacancy in the Senate of the United States, which will be occasioned by the expiration of the term for which William Findlay was elected.

Whereupon,

Mr. Ramsey nominated Samuel D. Ingham.

Mr. M'Creery, Isaac D. Barnard.

Mr. J. R. C. Smith, Joseph Hemphill.

Mr. F. Smith, William Findlay.

Mr. Rahn, Joel B. Sutherland.

Mr. Bayers, George B. Porter.

Mr. Overholtzer, James Buchanan.

Mr. J. Miller, Alexander Mahon.

On motion,

Ordered, That Mr. Binder be the teller, on the part of the House of Representatives, to officiate at the election of United States Senator, on Tuesday next.

Laid on the table.

The Secretary of the Commonwealth being introduced, presented two messages, accompanied with documents, from the Governor, which were read as follow, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to you, a copy of a letter from the president of the chamber of commerce of Philadelphia, relative to the construction of a break-water in the bay of Delaware.

This subject was presented to the consideration of the legislature at the last session, and a resolution then adopted, expressive of the wishes and feelings of Pennsylvania, and urging our members, in the two branches of the national legislature, to use their best efforts to obtain an appropriation to accomplish the work. The great importance of having a break-water at the mouth of the Delaware, for the protection and preservation, not only of the property, but the lives of our citizens embarked on the ocean, and exposed to all its perils and dangers, will be a sufficient apology for my submitting to you the letter accompanying this message, and again inviting the attention of the general assembly to this subject.

Whatever further measures you may devise and adopt, to effect so desirable and beneficial a work, for the commercial interest and prosperity of our metropolis, and the safety of the mariners engaged in the trade and navigation to and from the city of Philadelphia, will meet with my cordial assent.

J. ANDW. SHULZE.

*Harrisburg, December 9, 1826.*

*Philadelphia, November 27, 1826.*

*To his Excellency,  
John A. Shulze,*

SIR—The Philadelphia Chamber of Commerce remaining still impressed with the importance and great utility of a break-water in the bay of Delaware, have instructed me to revive the subject, by bringing it again to the notice of your Excellency, and respectfully to request such interposition of the executive, with the legislature of the commonwealth, or otherwise, as may appear in his wisdom, best calculated to promote a measure so pregnant with the best interests of the United States, the commerce of the city of Philadelphia, and so full of benevolence to the exposed and suffering mariner. When it is considered that for 150 miles to the south of Cape Henlopen, and 100 miles to the north of Cape May, there is not a harbor for large vessels, exposed to certain winds but that of the Delaware bay, and this being without artificial protection, cannot with safety be approached. It is to be lamented, that a season should ever have been permitted to pass, without a commencement of the work, after the finances of the nation were in a situation to admit of the expenditure. So inconsiderable have been the appropriations for public works in the Delaware, so pressing is the call from humanity and interest, that the application for this improvement cannot fail of success, if with proper exertion it is persevered in, under the auspices of the governments of the three states more immediately concerned, viz. Pennsylvania, New Jersey and Delaware.

The delay which has attended this communication requires an apology, which, in offering, it is respectfully solicited, may be accepted, and with the assurance of the highest personal considerations of esteem and regard,

I am

Your Excellency's

Very obedient, and

Very humble servant,

ROBERT RALSTON,

Pres't, of the Phil'a. Chamber of Commerce.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to you a copy of a letter from the governor of the state of Maryland, together with a copy of a report of a committee of the House of Delegates, and a resolution of the general assembly of that state, on the subject of the fisheries in the river Susquehanna, below the Pennsylvania line.

A copy of a report of the commissioners appointed by direction of an act of assembly of the last session, to examine the accounts of the board of commissioners, and the materials, construction, and workmanship of the penitentiary, opposite Pittsburg.

A copy of a report of a committee, and certain resolutions of the board of managers of the Northumberland Bridge Company, accompanied by two letters from the president of said company, on the subject of the act of last session, relative to turnpike road and bridge companies, in which the state holds stock.

A copy of a letter from the Attorney General of the Commonwealth, shewing the state of the proceedings, and present situation of the suit directed to be commenced, to try the validity of the charter of "The Harrisburg Canal, Fire Insurance and Water Company.

A copy of a letter from Doctor Richard Povall, stating the reasons why the sword voted to captain Conner, by a resolution of the last legislature, for his gallant conduct in the naval service of his country, during the late war, has not yet been completed.

And a copy of a letter from the commissioners appointed to revise the penal code of this commonwealth, to explain why they were not able to make their report, so as to be laid before the legislature at the commencement of the session.

J. ANDW. SHULZE.

*Harrisburg, December 8, 1826.*

### COUNCIL CHAMBER,

*Annapolis, April 21, 1826.*

SIR—The enclosed copy of a report of the committee of the House of Delegates, of this state, and resolution, passed by the general assembly at the late session, is forwarded to your Excellency in compliance with the said resolution.

With the highest consideration,

I have the honor to be,

Your Excellency's

Most obe't. serv't.

JOS. KENT.

*His Excellency,*

*John Andrew Shulze,*

*Governor of Pennsylvania.*

BY THE HOUSE OF DELEGATES.

*February 28, 1826.*

The committee to whom was referred the "Leave granted to bring in a bill, to prevent persons residing out of this state, from injuring the fisheries in the river Susquehanna, below the Pennsylvania line," present the following report.

The late period at which this subject is presented, and the fixed determination of the general assembly to rise on a given and near day, forbid the hope of passing any bill through the different branches of this legislature, at the present session. But as the subject confided to our care, is one whose tendency is to gratify

the wishes and welfare of a large portion of the citizens of our sister state of Pennsylvania, and as we have every disposition to gratify her wishes as far as we can go, we think it most eligible to leave this subject open for the present, that it may be early taken up by the next legislature, to whose attention we respectfully recommend it, and we conclude this report with the following resolution.

*Resolved by the General Assembly of Maryland,* That the governor of this state be, and he is hereby requested to forward a copy of this report, accompanied by a letter, to his Excellency the Governor of Pennsylvania, to be by him laid before the legislative body of that state.

By order,  
JOHN BREWER,  
Clerk H. D.

BY THE SENATE.

March 2, 1826.

Read the second, and by special order, the third time, and assented to.

By order,  
WM. KILTY,  
Clerk S.

*To his Excellency J. Andw. Shulze, Governor of the Commonwealth of Pennsylvania.*

The subscribers, commissioners appointed by your Excellency, in pursuance of an act of assembly, passed the 1st day of April, 1826, entitled "An act to provide for the erection of a state penitentiary, on the public land adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny," and for other purposes beg leave to **REPORT**:

That notice was given to them, in writing, from the board of commissioners for the erection of the penitentiary, that a meeting of their board, together with the inspectors of the prison, would take place on the first day of July, 1826, for the purpose of giving up to the inspectors and keepers, so much of said penitentiary as was completed and ready for the reception of convicts, and so much as was finished, would on that day be ready for the examination and inspection of this board, in pursuance of the act of assembly above referred to. They therefore met on that day to proceed to the performance of the duties assigned them by virtue of their appointment.

The board proceeded to the examination of the penitentiary, and found a considerable portion of the work in an unfinished state, but that there were a sufficient number of the cells completed to render it practicable to receive convicts, and assurances were given by the commissioners for its erection, and the superintendant, that every possible exertion would be used to have the whole completed against the middle of November then next.

The board immediately commenced the examination of the books and accounts for erecting said penitentiary, and continued their examination from day to day, until they went through the whole so far as the work had progressed, and then adjourned until the 20th of November, when they again met agreeable to adjournment, and on viewing the penitentiary, found that rapid progress had been made, from their former meeting. Nevertheless, some parts of it still remained unfinished, such as hanging a number of the doors on the cells, filling up, gravelling and paving part of the yard, some of the painting, finishing the cupola on the front building, with some other small items.

The board of commissioners, on examining this work, were highly gratified with its execution. The materials are of the most durable and best quality that could be procured in the country. Its construction and workmanship is neat and substantial, and exhibits a beautiful specimen of architecture, and does much credit to the commissioners and architect who superintended its erection;

The board again resumed the examination of the books, vouchers and contracts, which were exhibited to them, so far as disbursements had been made, which were kept in a very explicit and satisfactory manner, an abstract of which is hereto annexed; which shows an unexpended balance in the hands of said commissioners for the erection of the penitentiary, of thirteen thousand seventy-four dollars, and seventy-one and three-fourths cents; a sum, it is believed, which will be amply sufficient to complete the whole work.

In the examination of the penitentiary, its construction, materials and workmanship, and in the disbursement of the public money by the commissioners for its erection, so far as the same has been finished, or in a progressive state, it is the opinion of this board that the said commissioners have faithfully and honestly executed the trust reposed in them.

All of which is respectfully submitted.

W. COURTNEY,  
JAMES ORR,  
JOHN H. WISE,  
THOS. HENRY.

November 23, 1826.

*City of Pittsburg, November 22, A. D. 1826.*

The several appropriations made by the legislature for the purpose of erecting the penitentiary, in Allegheny town, amounts in the aggregate to

\$178,921 00

The expenditures on said building, up to and including this day,

165,846 28½

Balance unexpended,

\$ 13,074 71½

*Under the general head of workmanship.*

<i>Labor.</i> —R. Graham and others,		\$1,401 05	
J. Gourley and others,		315 20	
W. Dunlop and others,		275 20	
H. Cupps and others,		291 20	
C. Fisher and others,		1,985 34	
J. Hough, M. Carr, et. al.		5,038 13	
		<hr/>	
Cost of labor,			\$7,306 12
<i>Hauling.</i> —J. Bender,		31 24	
B. Peart,		58 16	
Jas. Allender,		30 78	
Wilson Stewart,		295 91	
		<hr/>	
Cost of hauling,			\$ 416 09
<i>Masonry</i> —including materials per contract.			
Fairman, Hannan, &c.			93,277 50½
<i>Wells and pumps.</i> —W. Rogers and S. Barns,		865 97	
J. Hains,		8 00	
J. Miller,		3 00	
J. Carson,		285 29½	
		<hr/>	
Cost of wells and pumps, &c.			162 26½
<i>Carpenters.</i> —E. Brotherton and others,		295 90	
J. Irwin, F. Graham, et. al.		7,843 80	
		<hr/>	
Cost of carpenters work,			\$29 70
<i>Smith work.</i> —W. Hartupce,		2,661 70	
C. Moore,		15 63	
		<hr/>	
Cost of smith work,			2,677 33
<i>Coppersmith.</i> —J. Sheriff,			274 50
<i>Plastering.</i> —S. Wood,		200 00	
W. Sturgeon,		848 78	
		<hr/>	
Cost of plastering,			1,048 78
<i>Painting.</i> —M. Borland,		170 00	
George Scott,		100 00	
		<hr/>	
Cost of painting,			270 00
<i>Turning.</i> —James Gray,			1 44
		<hr/>	
Total cost of workmanship,			\$114,573 72½

Dec. 9.

THE SENATE.

51

*Superintendence, including clerk's salary, compensation to measurers, &c.*

Stephen Hills,	2,040 00
John A. Hills,	50 00
David Evans,	8,976 14
M. Evans,	30 00
Wallace & Coulter, measurers,	120 00
M. M. Murray, clerk,	2,987 00

Total cost of superintendence, &c. \$14,153 14

*Recapitulation.*

Cost of materials,	\$ 37,119 41½
Workmanship,	114,573 72½
Superintendence,	14,153 14

Total cost of building so far as it has progressed, \$165,846 28½  
Which deducted from the amount of appropriations, 178,921 00

Leaves an unexpended balance of \$ 13,074 71½

(CIRCULAR.)

*Secretary's Office, April 27, 1826.*

SIR,—In compliance with the directions of the legislature, I herewith transmit you a certified copy of an act, entitled "A supplement to the act entitled, "An act relative to turnpike road and and bridge companies, in which the state holds stock," passed the twenty-seventh day of March, one thousand eight hundred and twenty-four, and for other purposes."

With sentiments of respect,  
I am your obedient servant,  
I. D. BARNARD.

*To the President of the*

*Northumberland 4th May, 1826.*

*I. D. Barnard, Esq. Secretary of State of the Commonwealth of Pennsylvania, Harrisburg.*

SIR—Conformably to the request made in your circular letter of the 24th of last month, which I found on my return home, I have now the honor to acknowledge its receipt, and that it covered a certified copy of a supplement to an act relative to "turnpike road companies, in which the state holds stock," passed the 10th day of April last, which letter shall be laid before the board at its next meeting.

I think it proper to repeat to you here, what I had the honour to mention to you personally at Harrisburg; that I do not conceive the act in question can apply to the Northumberland Bridge Compa-

ny ; that the stock in that company, subscribed by individuals was *not* subscribed "fictitiously," and that we have on all occasions conformed faithfully to the interest of the state, in conjunction with that of the individual stockholders, who embarked their property in the concern, under the full persuasion, that the charter granted to them under the Great Seal of the state, *was to be held sacred* ; it bears date the 19th day of October, 1811, conformably to an act of the general assembly of the commonwealth, passed the 25th March, 1809, to both which I refer you.

On Monday last being "the first Monday in May," agreeably to that charter, and to the said act, and several subsequent acts *passed at the request of the Board*, for the better management and regulation of the concern : the annual election was held, and the following persons were duly elected officers for the ensuing year, which I think right to mention to you, viz.

J. P. DE GRUCHY, *President*.

JOHN COWDEN,	} <i>Managers.</i>
GEORGE KREMER,	
JOSEPH R. PRIESTLEY,	
JOHN TAGGART,	
JAMES HEPBURN,	
THOMAS PAINTER,	

JOHN BOYD, *Treasurer and Clerk*.

The three first mentioned and Mr. Boyd, have been annually re-elected members, from the commencement of the building, of the bridge—the other four managers have been elected as vacancies arose from deaths, or otherwise.

I have the honor to be,

With sentiments of respect, Sir,

Your most obedient servant,

J. P. DE GRUCHY.

*Pres't. N. B. C.*

*Secretary's Office, Harrisburg, June 1, 1826.*

SIR—In compliance with the direction contained in the 4th section of an act, passed April 10th, 1826, entitled, a supplement to an act entitled "An act relative to turnpike road and bridge companies, in which the state holds stock, and for other purposes," passed the 27th day of March, 1824, I herewith transmit *duplicate* blank forms of returns to be made agreeably to the said act of 27th of March, 1824.

I am, very respectfully,

Your obedient servant,

I. D. BARNARD.

*Sec'y of Com'th.*

*To the President, &c.*



**Dec. 9.**

**THE SENATE**

*Statement of the affairs of the \_\_\_\_\_ Company, exhibit  
the receipts and payments by the company, from the  
of 1825, to the \_\_\_\_\_ day of 1826.*

Cost of making, including toll houses, \$  
Stock paid by the state, . . .  
Stock paid by individual subscribers, . . .  
Stock due by individual subscribers deemed solvent,  
Debts due by the company, . . .  
Dividends declared the preceding year, . . .

**DR.**

**DOLLS. C**

Tolls received preceding year, . . .  
To which add balance in hands of treasurer at last set-  
tlement, . . .

**CR.**

**DOLLS. C1**

By cash paid for repairs for preceding year, . . .  
By amount of debts paid preceding year, . . .  
By amount paid the following officers, (here insert the  
names of the managers, treasurer, secretary and  
toll-gatherers, and amount paid to each,) . . .  
By amount of incidental expenses, (here insert the se-  
veral items, and to whom paid,) . . .  
By amount of dividend declared the preceding year,  
By surplus fund in the hands of the treasurer,

*Statement of the affairs of the \_\_\_\_\_ Company, exhibiting t.  
receipts and payments by the company, from the \_\_\_\_\_ day i  
1825, to the \_\_\_\_\_ day of 1826.*

Cost of making, including toll-houses, \$  
Stock paid by the state, . . .  
Stock paid by individual subscribers, . . .  
Stock due by individual subscribers deemed solvent,  
Debts due by the company, . . .  
Dividends declared the preceding year, . . .

**DR.**

**DOLLS. CTS**

To tolls received preceding year, . . .  
To which add balance in hands of treasurer at last set-  
tlement . . .

**CR.**

**DOLLS. CTS.**

By cash paid for repairs for preceding year, . . .  
By amount of debts paid preceding year, . . .  
By amount paid the following officers, (here insert the . . .

DOLLS. CTS

nes of the managers, treasurer, secretary, and  
 gatherers, and amount paid to each,)

Bnount of individual expenses, (here insert the  
 eral items, and to whom paid.)

Bnount of dividend declared the preceding year,

Birplus fund in the hands of the treasurer,

*Northumberland, 23th November, 1826.*

*1. Barnard, Esq. Secretary of the  
 mmonwealth of Pennsylvania, Harrisburg.*

a—As president of the Northumberland Bridge Company, I  
 hahé honour to address you on the 4th of May last, to which I  
 re you : since then I have received your letter of the 1st of June,  
 ane also from the Auditor General, David Mann, Esq. dated  
 5th of June, to the same effect. At a meeting of the board of ma-  
 nars, on the 17th inst. I laid the said letters before them, and  
 thhave ordered them to be filed with the records of the Com-  
 p<sup>y</sup>.

ithout reference to an act of assembly, the board have always  
 shwn a willing disposition, to comply with any request made to  
 thby the officers of government ; not only as regards a state-  
 mt of the accounts of the company, but on other occasions: the  
 lilattention will be paid hereafter to any form, in which you, or  
 thAuditor General may signify a wish to have the annual accounts  
 mle out. The Board of Managers of the Northumberland  
 Bldge Company, at their last meeting, unanimously approved  
 ohe contents of the letter, which I had the honour to write to you,  
 othe 4th of May last, as regarded the act of the legislature, pas-  
 s<sup>d</sup> the 10th of April last ; and at that meeting, they further ap-  
 pnted a committee of three of their number, to draw up resolu-  
 tins respecting that act, to be entered on their minutes : the re-  
 prt of the committee, was unanimously approved, and ordered,  
 b a resolution, at a meeting held this day, to be recorded as such.

I have now, by order of the Board, the honour to forward to you,  
 a copy of the said report, for the information of his Excellency, the  
 Gvernor, and of the Legislature, and to entreat, that the legal resis-  
 tance (if any should be necessary) which the Board may feel bound  
 tmake to the act of the 10th of April last, “as regards bridges  
 ad turnpike roads,” may be construed as an act of duty, which  
 they owe to the stockholders, conformably to the oath, which by  
 the act of the 27th March, 1824, they in common with other com-  
 panies, were directed to take, and to which they freely acceded, al-  
 though they might have claimed the protection of their charter,  
 which did not require it. I have only to request that nothing dis-  
 respectful may be interpreted, by the stand, the board thus  
 feel it their duty to make, in objecting, as they do, to the aforesaid  
 act, operating against the Northumberland Bridge Company, and  
 the rights and privileges, which they obtained by the charter, which

was granted to them by the former legislature; conscious as the members of the board are, that their official conduct will bear the test of scrutiny, and that they have uniformly acted, most faithfully for the interest of the commonwealth as well as for that of the other stockholders, they trust it will be conceded to them, that in legalizing the law in question, they can have no other object in view; but to preserve inviolate, the chartered rights of the company.

I beg leave to add that the board not relying on the *letter* of the constitution alone, consider themselves sustained in the position they have taken, by the decision of the United States supreme court, made in the case of the "trustees of Dartmouth college Woodward," to which I would solicit the attention of all those interested in the enquiry. See 4 Wheaton, page 518, &c. In my opinion, this case alone will be sufficient to warrant and sustain most of the bridge and turnpike companies, in their objection to the act of 10th April last; and which I hope and trust will be the meeting of the approaching legislature, be set at rest by being repealed.

I beg you to believe me,

With great regard and respect,

Dear Sir,

Your most obedient,

and humble servant,

J. P. DE GRUCHY,

President, N. B.

*Extract from the minutes of the Northumberland Bridge Company, 28th November, 1826.*

The committee appointed to draft a protest against the act of the legislature of the 10th April, 1826, submit the following for the consideration of the board.

"When it becomes the duty of individuals, either in their private right, or as the representatives of a corporation to question the validity of an act of the legislature of the state of which they are citizens, their situation is one of much responsibility and delicacy. The president and managers of the Northumberland Bridge Company, are deeply impressed with the truth of this remark; and are not less with the duties of their official situation, which they are bound under the obligation of an oath "to discharge with fidelity. They would not deem themselves in the discharge of these duties, if the property or rights of the company which they represent were suffered to be invaded from any quarter, without opposing the legal resistance in their power. By the constitution of the United States, as well as by that of Pennsylvania, private rights are guaranteed, and laws impairing the obligation of contracts are prohibited: but by an act of the legislature of Pennsylvania, passed the tenth day of April, 1826, entitled "A supplementary act, entitled an act relative to turnpike roads and bridges, which the state holds stock," the rights of the stockholders

he corporation which the said president and managers represent, are in their opinion violated; provisions are enacted, which carried into operation, would be greatly injurious to their interests; and the chartered privileges of the company, guaranteed on faith of the state, and under the protection of the United States, are disregarded. This board look with alarm on the ground assumed by the legislature in passing the above act, and view the principle involved in it, as extending the power of that body without check or restraint over all corporate rights whatever: for if the legislature have the power to alter and amend charters at pleasure, they have also the power to annul them altogether; no difference is perceived, on principle, as regards the power, between partial and plenary exercise of it. Banks, insurance companies, and other monied institutions, would be as fully within the sweep of its operations as roads and bridges. This board do not recognize any means by which their charter can be constitutionally annulled, without their own consent, unless by an act of forfeiture, incurred by their own culpability; nor do they know of any tribunal by which such act could be constitutionally ascertained, except that of a court and jury. And feeling it to be their duty to protect the rights of those whom they represent, in whatever form they may be assailed, it is hereby unanimously resolved, that the president and managers of the Northumberland and bridge company, do protest against the act of assembly so mentioned going into operation as regards this company, they do hereby enter their protest against the same, because they apprehend it to be an infringement of the rights of the stockholders; a violation of their chartered privileges; contrary to the constitution of the United States, and to the constitution of Pennsylvania; and because it would operate in a great degree to annul their charter, without any act of forfeiture on their part, and without the investigation of a judicial tribunal.

Resolved, That the president transmit to the Secretary of the Commonwealth a copy of these proceedings, and at the same time he express the great regret of the board in being compelled, by a sense of duty and the obligation of their oaths, to resist the execution of an act of the legislature, although the means used are strictly legal, and such as their constituents have a right to require of their hands.

A true copy from the minutes,

J. P. DE GRUCHY,  
President N. B. C.

Attest,  
JOHN BOYD, Treasurer.

Nov. 28, 1826.

Reading, September 23, 1826.

Attest—Pursuant to the act of the last session of the general assembly, entitled "An act to try the validity of the charter of the Harrisburg Canal, Fire Insurance and Water Company," I caused

a writ of scire facias to be issued against that company, to show cause why the letters patent issued by the governor, in pursuance of the act therein recited, should not be revoked and annulled, and why the same letters patent should not be surrendered up to this commonwealth, and further to inquire whether the said company have not misused and abused the chartered privileges granted in pursuance of the act authorising the incorporation of the said company, and this writ was duly served and returned according to the act.

The judges of the supreme court for the middle district, formed the requisite issues upon the said writ, and having appointed the 28th day of June last for trying them, awarded a special venire facias. I attended at Sunbury at that time, for the purpose of conducting, (with the assistance of Hugh Bellas, Esq. who had been appointed for the purpose by the auditor general,) the trial of the issues on the part of the commonwealth.

When the trial was about to proceed, the defendants submitted a proposition, and filed the same of record in the said court, in the following terms, to wit :

The commonwealth of Pennsylvania,	}	In the middle district of the supreme court, June 28th, 1826.
vs.		
The president and managers of the Harrisburg Canal, Fire Insurance and Water Company.	}	

The defendants alledge that at the late meeting of the commissioners of the Pennsylvania Canal, at Harrisburg, they resolved to enlarge the dimensions of the contemplated State Canal, from Harrisburg to its entrance into the river, at a point nearly opposite the mouth of the Juniata, in such manner as entirely to remove any objection which they previously had to its location.

That they now feel a perfect assurance, that the commissioners will construct the canal in such manner as to create water-power at Harrisburg, for the purpose of propelling machinery, &c. which in a great measure was the original motive for the incorporation of the company, and for which they have been heretofore contending.

That feeling themselves altogether satisfied with the proceedings of the commissioners, they have no hesitation in stating, that it is not their intention hereafter to interfere with the construction of the State Canal in any manner, whether the present suit should be tried or not; nor is it their intention to claim damages, should the present suit be determined in their favor.

Believing therefore that all difficulties between the state and the company are at an end, they would respectfully suggest the propriety, with the approbation of the gentlemen concerned on behalf of the commonwealth, of having the cause continued until

the next term of the supreme court, with a hope that the legislature, in the mean time, will take such measures as will preclude the necessity of proceeding any further with the suit.

JOHN FORSTER,  
Pres't. Harrisburg Canal, &c.

THO. WHITESIDE,  
Treasurer, &c.

Attest,

E. GREENOUGH,  
JOHN ROBERTS,  
Att'ys. for Def'ts.

Filed in the Supreme Court, June 28, 1826.

A. JORDAN, Prot'y.

As it appeared to me that the object of the act of assembly did not require that the trial should be urged on, under the circumstances disclosed in this statement, I acceded at once to the proposal of the defendants, and the case was accordingly continued by the court, until the next term, which will be in June, 1827. In the mean time, the legislature, should they think proper to have the issues tried, will, it is presumed, so direct at their next session; and the parties must be prepared for the event.

I am truly yours,

FREDERICK SMITH.

*J. Andw. Shulze, Esq. Governor  
of the Commonwealth of Penn'a.*

*Philadelphia, November 24th, 1826.*

DEAR SIR—I have the pleasure to acknowledge the receipt of yours, dated the 20th instant, and to say to you in reply to your inquiry, that the sword voted by the legislature of this State to Capt. Connor will be ready to be delivered in about two months from this date.

I am sorry there has been so great a delay in executing the trust confided to me by his Excellency the Governor, but I beg you to assure him, that it was unavoidable in consequence of the difficulty of getting a skilful artist to execute the devices. Col. Fairman, the gentleman employed for that purpose, and whose reputation for designing, &c. is without a rival in this country, has been so ill all the summer, that he could not engage to undertake the job until very shortly. The blade has been forged, polished, and ready for receiving the devices for at least five months. The devices will be, on one side of the blade, a representation of the battles between the Hornet and Peacock, and the Hornet and Penguin. A boat with Capt. Conner, as its commander, will be seen passing from the Peacock to the Hornet, with the wounded and captured enemy, and underneath it, these words will be placed—*Parcere subjectis succurrere miseris*. The reverse side will have

this inscription on it. "The Commonwealth of Pennsylvania to  
"Capt. David Conner, in honor of his gallantry, in the actions be-  
"tween the United States sloop of war, Hornet, and his British  
"Majesty's sloops of war, Peacock and Penguin."

Messrs, Fletcher and Gardner, the artists employed to make  
the sword, say they are determined to have it executed in a style,  
that shall be creditable to the state.

I am with great esteem,

Your friend and obedient servant.

RICHARD POVALL.

*I. D. Barnard, Esquire,*

*Secretary of the Commonwealth of Pennsylvania.*

*To J. Andrew Shulze, Esquire, Governor of Pennsylvania.*

SIR—The resolution under which we were appointed by your  
excellency to revise the penal code, and prepare a system of Peni-  
tentiary discipline, having required a report to the next legisla-  
ture of at least a portion of our labours, we think it proper to  
communicate for the information of your Excellency, that the na-  
ture and extent of the important duties confided to us, renders it  
impracticable to furnish the result at the opening of the approaching  
session. The resolution having made it incumbent on us, to visit  
at least, two of the penitentiaries in some of the other states of the  
Union, our attention was first directed to the duty, and in its per-  
formance, a large portion of the time we could have otherwise ap-  
propriated from our public and professional avocations was employ-  
ed in the minute investigation of some of these establishments in  
distant and opposite parts of the Union. That this time has not  
been spent unprofitably, we feel assured. Considering it impor-  
tant, that we should be enabled, as far as possible, to ascertain and  
exhibit the effects produced by our existing penal code, in our  
own state, we have been and still are engaged in collecting from  
the several counties, returns calculated to inform the legislature in  
this respect. Of these returns some are still delayed; and the  
resolution of the last session having required from us "suggestions  
and observations necessary to a proper determination on the sub-  
ject," we think it will be most agreeable to the legislature if we  
delay our report until we are able to offer such suggestions as  
arise from the possession of official documents and well ascertained  
facts from all parts of the commonwealth.

We confidently expect, however, that on part, if not all of the  
branches of the commission, we shall be able to report, at so early  
a day in the session, as to put the legislature in possession of our  
views before any important measures connected with the peniten-  
tiary system are matured for final legislation.

We are with great respect,

Your Excellency's obedient servants,

CHARLES SHALER,

EDWARD KING,

T. J. WHARTON.

*Philadelphia, November 27, 1826.*

*Laid on the table.*



(On motion of Mr. Sutherland and Mr. Leech,

That part of the message of the Governor, together with the documents accompanying the same, relating to a break-water in the Delaware river, were referred to Messrs. Sutherland, Duncan and Hay.

Adjourned until 11 o'clock, on Monday morning next.

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## MONDAY, December 11, 1826.

Mr. Emlen appeared and took his seat.

Mr. Schall presented the petition and documents of Catharine Cleaver, of Berks county, widow of a revolutionary soldier, praying for relief.

Which were referred to the committee on claims.

Mr. Duncan presented the memorial of the directors of the first section of the first school district of the state of Pennsylvania, praying that the councils of the city of Philadelphia, be authorised to elect twelve directors, in addition to the number provided for by the act entitled "An act to provide for the education of children at the public expense, within the city and county of Philadelphia,"

Which was referred to Messrs. Duncan, Hay and Sutherland.

Mr. Hay presented the petition and documents of Matilda C. Hale, of Philadelphia, praying to be divorced from the bonds of matrimony.

Which were referred to Messrs. Hay, Ryon and Moore.

Mr. Hay presented the petition of sundry inhabitants of the city and liberties of Philadelphia, praying for the passage of an act to divide the city and county of Philadelphia into two districts, for the regulation of weights and measures.

Which was referred to the members from the city and county of Philadelphia,

The Speaker laid before the Senate a letter, accompanied with documents, from Gabriel Hiester, surveyor general, which were read as follows, viz.



*Surveyor General's Office,  
December 11th, 1826.*

SIR—I enclose for the information of the senate, a report, made in conformity with several acts of assembly, in that case made and provided, and

Am, Sir, very respectfully,  
Your obedient servant,  
GABRIEL HIESTER, S. G.

*To the Hon. Alexander Mahon,  
Speaker of the Senate of Pennsylvania.*

*Surveyor General's Office 1st December, 1826.*

In obedience to the directions of the several acts of assembly in that case made and provided, I have the honor to make report to the legislature of the business, performed in, and the state of this office, within the last year, of the manner, in which the extra appropriation for clerk hire, has been applied, and of the contingent expenses, including those of the Board of Property.

*Business for which no fees are receivable, viz.*

- 219 New warrants to surveys entered, numbered and filed, copies of which have been made, and directed to the deputy surveyor's respectively for execution.
- 44 Warrants of acceptance, entered, numbered and filed.
- 15 Orders of the Board of Property to resurvey endorsed and filed, copies of which have been made, and directed to the deputy surveyors respectively for execution.
- 520 tickets directed to the secretary of the Land Office, each of which required a search to be made.
- 364 Returns made to the secretary of the Land Office for patenting the surveys and warrants endorsed accordingly, refiled, and corresponding entries made in the warrant books.
- 1046 Searches for warrants and surveys of which copies or connections were required.
- 1046 Warrants and survey's refiled, all of which copies or connections were made.
- 296 New surveys received, examined, compared with the warrants, entered on the deputy surveyor's lists, marked in the warrant books, endorsed with the time of acceptance, numbered and filed.
- 87 Copies made and furnished to agents appointed, in pursuance of the 1st section of an act, entitled "An act for the sale of land, late the estate of John Nicholson and Peter Baynton, on which the state has a lein, and for other purposes," passed the 11th day of April, 1825.
- 2 Connections embracing 775 tracts, and,
- 2 Extracts from deputy surveyor's lists of returns containing,
- 847 Tracts applied for and made out in pursuance of the 7th section of the act entitled, "An act to vest in Elizabeth Moss the right of this commonwealth to the personal estate of her illegi-

timate son, Jesse Barnes, late of the township of Warminster, in the county of Bucks, and for other purposes," passed the 10th day of April last.

507 Entries made in the fee book.

4 Quarterly accounts settled at the Auditor General's Office.

Independant of the foregoing current business of this office, lists of the different counties, have been completed, containing 12,467 entries of locations and warrants under the proprietary government, on which it does not appear from the books and papers of this office, that survey's have heretofore been returned. Duplicates of these lists are now making preparatory to their being sent out; in pursuance of the 2d section of the act entitled "An act explanatory and supplementary to the act entitled "An act directing the recovery of the principal and interest due to the commonwealth, from persons holding lands by virtue of locations or other office titles, issued from or under the proprietary government, and for other purposes," passed the 11th day of April, 1825.

*Business for which fees have been received amounting to \$624 25,*  
*viz.*

371 Copies, extracts and certificates,

48 Connections and copies of general drafts, embracing 254 surveys.

3 Extracts containing 3566 words.

1 Extract containing 79 tracts.

405 Searches.

On the first day of April last, there remained unexpended of the permanent and extra appropriations for clerk hire, for the year ending on that day \$100; since then, there has been applied in the payment of clerks, up to the first day of October last, \$1,550, leaving a balance of \$1650 of the permanent and the extra appropriations made by the act of the 7th day of April last, for the remainder of the year, ending on the first day of April next.

The contingent expenses since the last report, have been as follows, viz:

For stationary and printing,	\$103 29½
Door keeper,	132 00
Postage,	59 06½
Fuel,	38 53½
Sundry repairs, cleaning office and board of property room,	20 12½
Miscellaneous,	5 87½
	<hr/>
	\$358 88

Of which 180 dollars, 50½ cents has been expended since the first day of April last, and is chargeable to the appropriation

made by the act of the 7th day of April, 1826, leaving a balance of 269 dollars, 49 $\frac{1}{4}$  cents, for the remainder of the year.

In relation to the state of this office, required by the acts in pursuance of which this report is made, it may only be necessary here to observe, that due care and attention has been observed in the preservation and arrangement of the books and papers in their proper order.

All which is respectfully submitted.

GABRIEL HESTER, S. G.

The Speaker laid before the Senate a letter from the president and treasurer of the Philadelphia Saving Fund Society, which was read as follows, viz.

Statement of depositors and their balances, as appears by the books of the Philadelphia Saving Fund Society, on the first Monday of November, A. D. 1826, in conformity with the fourth section of the act of assembly, entitled "A supplement to the act entitled an act to incorporate the Philadelphia Saving Fund Society," approved the 15th March, A. D. 1824.

*Depositors' Accounts*

Not exceeding ten dollars,	502
From ten to twenty dollars,	267
From twenty to fifty dollars,	653
From fifty to one hundred dollars,	704
From one hundred to two hundred dollars,	726
From two hundred to three hundred dollars,	378
From three hundred to five hundred dollars,	395
Of five hundred dollars and upwards,	207
	<hr/>
The whole number of depositors,	3,632

Three thousand, six hundred and thirty-two.

*City of Philadelphia. ss.*

Before me, the subscriber, an alderman of the said city, personally came Andrew Bayard, president, and George Billington, treasurer, of the Philadelphia Saving Fund Society, who being duly sworn, did depose and say, that the above statement is an abstract taken from the books of the said society, and that the same is correct and true to the best of their knowledge and belief.

ANDREW BAYARD, Pres't.

GEO. BILLINGTON, Sec'y.

Sworn before me, the 9th day of December, A. D. 1826.

A. PETTIT, Alderman.

Said letters and documents were laid on the table.

Mr. Hawkins, from the committee on the subject, on leave given, reported bill No. 8, entitled

"An act establishing the rates of ferrriage at Greensburg, Greene county."

Said bill was read the first time.

Mr. Schall obtained leave to withdraw the petition and documents of Stephen Barth, a revolutionary soldier.

Adjourned until 11 o'clock, to-morrow morning.

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## TUESDAY, December 12, 1826.

Mr. Mann, from the committee on claims, reported bill No. 9, entitled

"An act for the relief of Catharine Shartzler and Mary Hollman, widows of revolutionary soldiers.

Mr. Hunt, from the committee on the subject, on leave given, reported bill No. 10, entitled

"An act authorising Jacob Zook, trustee of the Great Valley Ominist Society, in Chester county, to sell and convey certain real estate therein mentioned."

On motion of Mr. Mann and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 2, entitled

"An act for the relief of Mathias Rehr, a soldier, and Hannah Margaret Kemmell, the widow of a soldier of the revolution."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Mr. Brown and Mr. Bonsall, a committee from the House of Representatives, being introduced, informed the Senate that the chamber of the House of Representatives is now ready to receive the members of the Senate, for the purpose of proceeding to the choice of a Senator, to represent this state in the Senate of the United States, in the place of William Findlay, whose term of service will expire on the third day of March next.

Whereupon,

On motion of Messrs. Mann and Power,

The Senate withdrew to the chamber of the House of Representatives, for the purpose aforesaid.

*SAME DAY.*

Mr. Herbert, teller, on the part of the Senate, to officiate at the election of United States Senator, made report as follows, viz.

That the convention, consisting of the Speaker and members of the Senate, and the Speaker and members of the House of Representatives, met in the chamber of the House of Representatives. The Speaker of the Senate presided as president, and proceeded to the election of a Senator, to represent this state in the Senate of the United States, in the room of William Findlay, Esq. whose term will expire on the third day of March next; and the votes being taken, were as follow, to wit:

Messrs. Allshouse, Audenried, Hawkins, Knight, Leech, Mann, Moore, Petrikin, Power, Schall, Seltzer, Sullivan, Mahon, speaker, of the Senate, and Messrs. Alter, Becker, G. Bell, Bell, Leb. Bell, Westmoreland, Bertolet, Boyer, Cooper, Cope. Cunningham, Denny, Dillinger, Dorrance, Ellis, Evans, W. Forster, Gebhart, Good, Hetrick, Hottenstein, Irwin, Kerr, Lawson, M'Bride, M'Creery Madden, Mallery, Matheys, Mont. Matthews, Cam. G. Miller, Nicholson, Petrikin, Kahn, Rankin, Ringland, Shannon, Whittlatch, Wilson, Wolfersberger, Wolford, Woolverton, Ritner, speaker, of the House of Representatives, 55—voted for Isaac D. Barnard.

Messrs. Hay, Kitchin, Ray, Ryon, Sturgeon, Sutherland, Winter, of the Senate, and Messrs. Beatty, Binder, Bonsall, Burden, Cummin, Duncan, Eldred, Fackenthall, Harrison, Hergesheimer, Ihrie, Kennedy, Knight, Krepps, M'Clure, M'Ewen, Matts, Mathewson, Pearson, Ramsey, Scudder, Snyder, P. Stephens, J. Stevens, Thomas, Wise, of the House of Representatives, 33—voted for Samuel D. Ingham.

Messrs. Duncan, Emlen and Kerlin, of the Senate, and Messrs. Boyd, Haines, Lehman, Meredith, R. Miller, Pennypacker J. R. C. Smith, and Thompson, of the House of Representatives, voted for Joseph Hemphill.

Messrs. Dunlop, Hambright, Hunt, of the Senate, and Messrs. Barber, Bonner, Brown, Lan. M'Sherry, H. Miller, Overholtzer, Patterson, of the House of Representatives, 10—voted for James Buchanan.

Messrs. Atkinson, Aughinbaugh, Brown, Allegh. Farrell, W. B. Foster, James, Lauman, F. Smith, Tutwiler, Walker, of the House of Representatives, 10—voted for William Findlay.

Messrs. Garber, Herbert and Logan, of the Senate and Messrs. Dunlap and J. Miller, of the House of Representatives, 5—voted for Alexander Mahon.

Mr. Hamilton, of the Senate, and Messrs. Agnew and Buyers, of the House of Representatives, 3—voted for George B. Porter.

Mr. Ogle, of the Senate, 1—voted for Thomas Sergeant.

So it appeared that	
Isaac D. Barnard had	55 votes.
Samuel D. Ingham,	33
Joseph Hemphill,	11
James Buchanan,	10
William Findlay,	10
Alexander Mahon,	5
George B. Porter,	3
Thomas Sergeant,	1

Neither of the candidates having a majority of the whole number of votes,

On motion,

The convention proceeded to the second poll, and the votes being taken, were as follow, viz.

Messrs. Allshouse, Audenried, Dunlop, Garber, Hamilton, Hawkins, Hay, Herbert, Hunt, Kerlin, Kitchin, Knight, Leech, Logan, Mann, Moore, Ogle, Petrikin, Power, Ray, Ryon, Schall, Seltzer, Sturgeon, Sullivan, Sutherland, Winter, Mahon, speaker, of the Senate, and Messrs. Agnew, Alter, Atkinson, Aughinbaugh, Beatty, Becker, G. Bell, Bell, Leb. Bell, West. Bertolet, Binder, Bonner, Bonsall, Boyd, Boyer, Brown, Alleg. Burden, Buyers, Cooper, Cope, Cummin, Cunningham, Denny, Dillinger, Dorrance, Duncan, Dunlap, Eldred, Ellis, Evans, Farrell, W. Forster, W. B. Foster, Gebbart, Good, Haines, Hetrick, Hottenstein, Ihrie, Irwin, James, Kennedy, Kerr, Krepps, Lauman, Lawson, M'Bride, M'Clure, M'Creery, M'Ewen, Madden, Mallery, Matheys, Mont. Mathews, Cam. G. Miller, J. Miller, R. Miller, Nicholson, Patterson, Pennypacker, Petrikin, Rahn, Rankin, Ringland, Scudder, Shannon, F. Smith, Snyder, P. Stephens, J. Stevens, Thomas, Thompson, Tutwiler, Walker, Whitlatch, Wilson, Wolfersberger, Wolford, Woolverton, Ritner, speaker, of the House of Representatives, 108—voted for Isaac D. Barnard.

Messrs. Barber, Brown, Lan. Fackenthall, Harrison, Hergesheimer, Knight, Mathewson, Matts, Pearson, Ramsey, Wise, of the House of Representatives, 11—voted for Samuel D. Ingham.

Messrs. Duncan and Emlen, of the Senate, and Messrs. Lehman, M'Sherry, and J. R. C. Smith, of the House of Representatives, 5—voted for Joseph Hemphill.

Mr. Hambright, of the Senate, and Messrs. H. Miller and Overholtzer, of the House of Representatives, 3—voted for James Buchanan.

Mr. Meredith, of the House of Representatives, 1—voted for Thomas Sergeant.

So it appeared that

Isaac D. Barnard had	108 votes.
Samuel D. Ingham,	11
Joseph Hemphill,	5
James Buchanan,	3
Thomas Sergeant,	1

The president of the convention then declared Isaac D. Barnard duly elected Senator, to represent this state in the Senate of the United States, from and after the third day of March next.

The following certificate was then read,

I do hereby certify, that the members of the Senate, and the members of the House of Representatives, of the general assembly of the commonwealth of Pennsylvania, having assembled in the Representatives' chamber, on Tuesday, the twelfth day of December, one thousand eight hundred and twenty-six, for the purpose of choosing a Senator, to represent the said commonwealth in the Senate of the United States, did, by a majority of votes, choose Isaac D. Barnard, of the county of Chester; and the said Isaac D. Barnard is hereby accordingly declared to be duly chosen a Senator, to represent the said commonwealth in the Senate of the United States.

Witness my hand, this twelfth day of December, A.

D. one thousand eight hundred and twenty-six.

ALEXANDER MAHON, Pres't.

Z. HERBERT,

Teller on the part of the Senate.

W. BINDER,

Teller on the part of the House of Representatives.

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

**WEDNESDAY, December 13, 1826.**

The speaker laid before the Senate, a communication, signed by Robert Ralston, treasurer of the Bible Society of Philadelphia, accompanied with the annual report of the said society.

Which were laid on the table.

Mr. Hay read in his place, and on leave given, presented to the chair, bill No. 11, entitled a supplement to the act entitled a supplement to the act to incorporate the city of Philadelphia."

Said bill was read the first time.

On motion of Mr. Ogle and Mr. Moore, the following resolution was twice read, considered and adopted, viz.

Resolved, that a committee be appointed on part of the Senate, to join a committee from the House of Representatives, if that house should appoint such a committee, to fix on the time and place of opening and publishing the returns of the election for governor held throughout the commonwealth, on the second Tuesday of October last.

Ordered, That Messrs. Ogle, Winter and Ray be the committee for the purpose therein expressed.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Garber and Mr. Ogle,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the door-keeper of the Senate be, and he is hereby authorised to employ an additional assistant for the remainder of the session, at a sum not exceeding seventy five cents per day.

A motion was made by Messrs. Leech and Duncan,

That a committee be appointed on the part of the Senate, to join a committee of the House of Representatives, already appointed, to take into consideration the propriety and the manner of electing chaplains to the general assembly.

On the question,

Will the senate agree to the motion?

The yeas and nays were required by Mr. Leech and Mr. Ogle, and are as follow, viz.



YEAS.	YEAS.
Messrs. Duncan, Hamilton, Hawkins, Hay, Herbert, Kitchin, Leech, Logan,	Messrs. Mann, Moore, Power, Ray, Ryon, Sturgeon, Sutherland, Mahon, speaker, 16
NAYS.	NAYS.
Messrs. Allshouse, Audenried, Dunlop, Emlen, Garber, Hambright, Hunt, Kerlin,	Messrs. Knight, Ogle, Petrikin, Schall, Seltzer, Sullivan, Winter, 15

So it was determined in the affirmative.

Ordered, That Messrs. Leach, Moore and Duncan, be the committee.

Ordered, That the clerk inform the House of Representatives accordingly.

Bill No. 2, entitled

"An act for the relief of Mathias Rehr, a soldier, and Hannah Margaret Kemmell, the widow of a soldier of the revolution," was read the second time, and

Ordered to be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 3, entitled

"An act to vest in Cumfort Budge, the right of this commonwealth to the real and personal estate of her illegitimate daughter, Rebecca Clark, late of the borough of Meadville, in the county of Crawford.

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Messrs. Mann and Kerlin,

The Senate resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 6, entitled

"An act to alter the time of holding the courts in the seventh judicial district."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Messrs. Hawkins and Schall,

The said bill was read the second time.

The sections were severally considered and agreed to.

The title was agreed to, after being amended so as to read,  
"An act to alter the times of holding the courts in the counties of  
Montgomery, Greene and Clearfield.

Ordered, That said bill be transcribed for the third reading.

Adjourned until 11 o'clock, to-morrow morning.

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## THURSDAY, December 14, 1826.

Mr. Ogle from the committee appointed to confer with a committee of the House of Representatives respecting the time, place and manner of opening and publishing the returns of the election for Governor held on the second Tuesday in October last, reported

That they have performed that service, and the joint committee recommend to their respective houses, the adoption of the following resolutions, viz.

Resolved, That the returns of the election for governor shall be opened and published by the speaker of the Senate, in the presence of both houses of the legislature, on this day at half past eleven o'clock in the forenoon, in the chamber of the House of Representatives, and that each house shall previously appoint one of its members a teller to cast up the votes.

Resolved, That upon the publication of the votes for governor by the Speaker of the Senate, a certificate of the election shall be made out and signed by the Speaker of the Senate, and the Speaker of the House of Representatives in the following form to wit:

"We, the speaker of the Senate and the Speaker of the House of Representatives of the commonwealth of Pennsylvania, do certify, that the speaker of the Senate did on the                      day of December, in the year of our Lord one thousand eight hundred and twenty six, in the chamber of the House of Representatives, in the state capitol, open the returns of the election for governor of this commonwealth and publish the same in the presence of the members of both hou-

ses of the legislature, conformably to the constitution of the said commonwealth, and that upon counting the votes by a teller appointed on the part of each house it appeared that had a majority of votes, whereupon the said was declared to have been duly elected governor of the said Commonwealth. In testimony whereof, we have hereto set our hands and seals the day and year first before written."

Resolved, That the said certificate shall be deposited by the speaker of the Senate in the office of the secretary of the commonwealth and there recorded and a duplicate thereof attested by the speakers of both Houses be transmitted to the governor elect.

Resolved, That twelve o'clock at noon be the hour fixed for the inauguration of the governor elect, on Tuesday next, in the chamber of the House of Representatives.

On motion of Messrs. Ogle and Seltzer,

Said report and resolutions were read the second time, considered and adopted, and

Ordered, that Mr. Sullivan be the teller on behalf of the Senate agreeably to the first resolution, and that the clerk inform the House of Representatives accordingly.

Mr. Hawkins, from the committee on the Judiciary system, reported bill, No. 12, entitled "An act relative to the election of constables in Delaware county."

Said bill was read the first time.

Bills numbered entitled as follow, were severally read the third time and passed.

No. 2. An act for the relief of Mathias Rehr, a soldier, and Hannah Margaret Kemmel, the widow of a soldier of the Revolution.

No. 6. An act to alter the times of holding the courts in the counties of Montgomery Greene and Clearfield.

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

On motion of Mr. Mann and Mr. Ogle, the following resolution was twice read, considered and adopted, viz.

Resolved, That the Senate will, on Thursday (December 21st) proceed to elect directors for the Pennsylvania and Philadelphia Banks, and also for the Columbia Bridge Company, agreeably to their several acts of incorporation.

Bill No. 3, entitled "An act to vest in Cumfort Budge the right of this commonwealth, to the real and personal estate of her illegitimate daughter, Rebecca Clark, late of the borough of Meadville, in the county of Crawford, was read the second time, and

Ordered, to be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Dunlop in the chair, on bill No. 1, entitled

An act to provide for the more general promulgation of the laws and resolutions of the General Assembly of this commonwealth,

After some time,

The committee rose and the chairman reported the bill with amendments.

The Clerk of the House of Representatives being introduced, presented two extracts from the journal of that house, which were read as follow, viz:

*In the House of Representatives,  
December 14, 1826.*

On motion,

Messrs. Denny, Agnew and Pearson, were appointed a committee on the part of the House of Representatives, to join a committee of the Senate, (already appointed) to fix on the time and place of opening and publishing the returns of the election for governor, held throughout the commonwealth, on the second Tuesday of October last.

*In the House of Representatives,  
December 14, 1826.*

The report of the committee appointed to confer with a committee of the Senate, relative to the time, place and manner of ascertaining and declaring the election of governor, was read, considered and adopted.

On motion,

Ordered, That Mr. Atkinson be teller on the part of the House of Representatives, with a member of the Senate to make a list of the votes, as the same shall be declared.

Laid on the table.

Mr. Duncan and Mr. Kennedy, a committee from the House of Representatives, being introduced, informed that the chamber of the House of Representatives is now ready for the reception of the Senate, for the purpose of opening and publishing the returns of the votes for governor of this commonwealth.

Whereupon,

On motion of Messrs. Mann and Ogle,

The Senate withdrew to the chamber of the House of Representatives, for the purpose expressed by said committee.

*SAME DAY.*

Mr. Sullivan, teller on the part of the Senate, to officiate at the meeting of the members of the two houses of the legislature, for the purpose of ascertaining the votes given for governor, at the late general election, made report, which was read as follows, to wit:

That at a meeting of the members of the two houses of the legislature, this day, at half past eleven o'clock, A. M. in the chamber of the House of Representatives, the following appeared to be the result of the votes given for governor at the late general election in the several counties of this commonwealth, to wit:

**LIST OF VOTES FOR GOVERNOR,**  
*At the General Election, in October, 1826.*

<i>Cities and counties.</i>	<i>J. Andrew Shulze.</i>	<i>John Sergeant.</i>	<i>Scattering.</i>	<i>John A. Shulze.</i>
City of Philadelphia, and County of Philadelphia,	7,119		149	
Bucks,	2,223			
Chester,	2,208		63	
Lancaster,	2,331			
York,	168	12		2,356
Cumberland,	1,726	21	84	
Berks,	2,978			
Schuylkill,	575	66	54 } 81 }	
Northampton,	2,588	27		
Lehigh,	1,624			
Wayne,	403		1 } 1 }	
Pike,	358			
Northumberland,	903			
Union,	1,070			
Columbia,	1,006			
Washington,	2,681			
Indiana and Jefferson,	1,023	57		
Armstrong,	1,471			
Westmoreland,	2,320			
Fayette,	1,914			
Bedford,	2,052			
Franklin,	2,591			
Montgomery,	2,862			
Dauphin,	1,253			
Lebanon,	954		12	
Luzerne,	1,185	85	16 } 114 }	
Susquehanna,	8,03	4	45	
	<hr/> 48,179	<hr/> 252	<hr/> 629	<hr/> 2,356
	10			

	J. Andrew Shulze.	John Sergeant.	Scattering.	John A. Shulze.
<i>Cities and counties.</i>	48,179	252	620	2,356
Bradford,	1,753			
Huntingdon,	1,736		442	
Beaver,			51	1,531
Allegheny,	2,297			
Butler,	1,178			
Mifflin,	1,347	49		
Delaware,	569	9	23	
Somerset,	1,001			
Cambria,	392		38	
Lycoming,	893			
Potter and M'Kean,	124			
Tioga,	563			
Greene,	1,164			
Adams,	758	852		
Centre,	1,355			
Clearfield,	335			
Crawford,	798			
Erie,	753	33		
Venango,	661			
Mercer,	1,320			
Perry,	1,356			
Warren,	2,81			
	<hr/>	<hr/>	<hr/>	<hr/>
	68,823	1,175	1,174	3,887
John A. Shulze,	3,887			
	<hr/>			
	72,710			

We certify that the total number of votes given for the office of governor, at the late general election, is seventy-five thousand and fifty-nine; of which J. Andrew Shulze had seventy-two thousand seven hundred and ten; John Sergeant had one thousand one hundred and seventy-five. Scattering, one thousand one hundred and seventy-four.

Attest,

MOSES SULLIVAN,

Teller on the part of the Senate.

THOS. ATKINSON,

Teller on the part of the H. of Representatives.

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

**FRIDAY, December 15, 1826.**

Mr. Hambright presented the petition of the commissioners of Lancaster county, praying for the extension of the provisions of the act entitled, "A supplement to An act to raise and collect county rates and levies," passed the 23d December, 1820, to said county.

Which was referred to Messrs. Hambright, Hamilton and Petrikin.

Mr. Herbert, from the committee on the subject, on leave given, reported bill No. 13, entitled

"An act to provide for the copying or transcribing of certain dockets or books of record, of the court of common pleas of Adams county."

Said bill was read the first time.

Bill No. 3, entitled

"An act to vest in Cumfort Budge the right of this commonwealth to the real and personal estate of her illegitimate daughter, Rebecca Clark, late of the borough of Meadville, in the county of Crawford," was read the third time and passed.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Ogle and Mr. Ray,

The following resolution was twice read, considered and adopted.

Resolved, That a committee be appointed, in conjunction with a similar committee from the House of Representatives, (if that House should appoint such committee,) to attend the governor elect on Tuesday next, at his residence in Harrisburg, and accompany him to the Hall of the House of Representatives, when the members of both houses are convened; where the Speaker of the Senate, or in his absence, the Speaker of the House of Representatives, shall administer the usual oaths of office to the governor elect; which being done, the governor shall be publicly declared, by the reading of a copy of the certificate of his election, by the Clerk of the Senate.

Ordered, That Messrs. Ogle, Garber and Kitchin, be the committee for the purpose therein expressed.

Ordered, That the Clerk inform the House of Representatives accordingly.

A motion was made by Mr. Dunlop and Mr. Hamilton, and read as follows:

Resolved, That the Secretary of the Land Office report to the Senate, the amount of moneys certified to be due upon patents, between the 25th of January, 1816, and 1st of May, 1817.

What amount of the money so certified upon patents has been paid.

A statement or calculation, shewing the effect of calculating interest upon the aggregate of principal and interest, under the provisions of the act of 25th January, 1816.

A statement shewing the operation of the 6th section of the act of 22d of March, 1822, and the 1st section of the act of 1st April, 1823, which allow deductions of seven years interest.

A statement of the price of public land in the different parts of the state.

A statement of the moneys received for lands on which interest has been computed agreeably to the act of 25th January, 1816, from the 25th January, 1816, till 1st December, 1820. The whole amount received annually; what amount thereof was interest; what the simple interest; and what the additional interest arising from the operation of said act, requiring interest to be calculated upon the aggregate of principal and interest.

On motion of Mr. Dunlop and Mr. Hamilton,  
Said resolution was read the second time.

The same being under consideration,  
A motion was made by Messrs. Knight and Leech, to postpone the same for the present.

Which was agreed to.

On motion of Mr. Ogle and Mr. Bay,  
The Senate proceeded to the nomination of candidates for directors of the banks of Pennsylvania and Philadelphia, and for the Columbia Bridge Company, when

Mr. Audenried nominated Mathew Carey for the Bank of Pennsylvania.

Mr. Mann,	Abm. Okie,	do.
Mr. Hay,	Wm. J. Leiper,	do.
Mr. Winter,	John T. Sullivan,	do.

Mr. Hay nominated Alexander M'Caraher for the Philadelphia Bank.

Mr. Sutherland,	Robert Patterson,	do.
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Mr. Hamilton nominated Dr. Samuel Humes for the Columbia Bridge Company.

Mr. Hambright,	William B. Hunt,	do.
Mr. Hunt,	James Given,	do.



The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 14, "An act to enable the governor to appoint a notary public in the incorporated district of Kensington."

No. 15, "An act, declaring Sinking creek, in Centre county, a public highway, from its mouth to Christian Keller's mill."

No. 16, "A further supplement to the act entitled an act authorising the governor to incorporate four companies, for making an artificial road from the town of Washington, in this state, to intersect the Harrisburg and Pittsburg turnpike road, at or near the town of Bedford, passed the 18th day of March, 1816."

Said bills were read the first time.

He also presented an extract from the Journal of that House, which was read as follows, viz.

*In the House of Representatives,  
December 12, 1826.*

On motion,

Resolved, That Messrs. Irwin, Boyer and Boyd, be a committee, in conjunction with a similar committee from the Senate, (if the Senate should appoint such a committee,) to attend the governor elect, on Tuesday next, at his residence in Harrisburg, and accompany him to the Hall of the House of Representatives, when the members of both Houses are convened; where the Speaker of the Senate, or in his absence, the Speaker of the House of Representatives, shall administer the usual oaths of office to the Governor elect, which being done, the Governor shall be publicly declared, by the reading of a copy of the certificate of his election, by the Clerk of the Senate.

Laid on the table.

Bill No. 1, entitled

"An act to provide for the more general promulgation of the laws and resolutions of the general assembly of this commonwealth," was read the second time, and ordered to be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Emlen in the chair, on bill No. 8, entitled

"An act establishing the rates of ferriage at Greensburg, Greene county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreesably to order,

The Senate resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No. 9, entitled

"An act for the relief of Catharine Shartzter and Mary Hollman, widows of revolutionary soldiers."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Ogle and Mr. Ray,

The Senate resolved itself into a committee of the whole, Mr. Hamilton in the chair, on bill No. 16, from the House of Representatives, entitled

"A further supplement to the act entitled an act authorising the governor to incorporate four companies for making an artificial road from the town of Washington, in this state, to intersect the Harrisburg and Pittsburg turnpike road, at or near the town of Bedford, passed the 18th day of March, 1816."

After some time,

The committee rose, and the chairman reported the bill with one amendment:

On motion of Mr. Ogle and Mr. Ray,  
Said bill was read the second time, and  
Ordered to be prepared for the third reading.

On motion of Mr. Sutherland and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 14, from the House of Representatives, entitled

"An act to enable the governor to appoint a notary public in the incorporated district of Kensington."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Messrs. Sutherland and Ogle,  
Said bill was read the second time, and  
Ordered to be prepared for the third reading.

Adjourned until 11 o'clock, to-morrow morning.

**SATURDAY, December 16, 1826.**

Mr. Duncan presented the memorial of the managers of the House of Refuge, accompanied with documents, praying that the commissioners of the county of Philadelphia, be authorised to lease them, for a House of Refuge, the prison in Prune street, in the city of Philadelphia.

Said memorial and documents were laid on the table.

Mr. Power presented the petition and documents of James Moore, of Beaver county, praying for relief.

Which was referred to the committee on claims.

Mr. Sutherland presented the memorial of the directors of the third section, first district of public schools, praying that the township of Moyamensing, in Philadelphia county, may be erected into a separate school district.

Which was referred to Messrs. Sutherland, Hay and Emlen.

Mr. Hay obtained leave to withdraw the petition and documents of Daniel Sharp.

The Clerk of the House of Representatives being introduced, presented an extract from the journal of that house, which was read as follow, viz:

*In the House of Representatives,  
December 15, 1826.*

On motion,

Resolved, That the committee appointed to attend the governor elect, be directed to invite the Secretary and Deputy Secretary of the Commonwealth, Auditor General, Surveyor General, Secretary of the Land Office, State Treasurer, and Attorney General, to attend the inauguration of the Governor elect on Tuesday; and that the Clerk inform the Senate of the same.

Laid on the table.

Mr. Mann, from the committee on claims to whom was referred the petition of Benjamin Beaver, and the documents of Daniel Sweeny, praying for compensation for a tract of donation land, reported,

That they carefully examined and deliberately considered the petition of Benjamin Beaver, and the documents of Daniel Sweeny, praying for compensation for a tract of donation land, and are of opinion that the prayer of the petitioner ought not to be granted; although

the case seems to be pretty clearly made out, that the right by the different transfers seems to be vested in Daniel Sweeny, yet there seems to be some ambiguity, which causes your committee to doubt the propriety of such a measure, inasmuch, as the transfer to Daniel Sweeny was made in 1795, when the Land Office remained opened for drawing and patenting soldiers land, until the year 1814, since which time the Land office has been finally closed against such claims; and all that has been remunerated since, has been by acts of lenity, and not of right; and, inasmuch as considerable speculations have been, and do still exist, by purchasing for a mere trifle, the rights of old soldiers, and endeavoring to draw the whole amount, and thereby defrauding the soldier of his hard earned bounty; your committee have deemed it most advisable not to grant to any assignee or third person any remuneration, in any case under similar circumstances.

And, therefore, offer the following resolution,

Resolved, That the committee be discharged from further consideration of the subject, and that the petitioner have leave to withdraw his petition and documents.

Laid on the table.

Mr. Hambright from the committee on the subject, on leave given, reported bill, No. 17, entitled,

“A further supplement to the act entitled, an act to raise and collect county rates and levies.

Said bill was read the first time.

Bill No. 1, entitled, “An act to provide for the more general promulgation of the laws and resolutions of the General Assembly of this commonwealth,” was read the third time,

On the question,  
Shall said bill pass?

A motion was made by Messrs. Ogle and Allshouse to postpone the question, together with the bill, until Monday the 18th inst. which was agreed to.

Bills from the House of Representatives, numbered and entitled as follow, were severally read the third time, and passed.

No. 14. “An act to enable the governor to appoint a notary public in the incorporated district of Kensington.”

No. 16. “A further supplement to the act, entitled, an act to authorize the governor to incorporate four companies for making an artificial road from the town of Washington in this state, to intersect the Harrisburg and Pittsburg turnpike, at or near the town of Bedford, passed the 18th day of March, 1816.

Ordered, That the clerk return said bills to the House of Representatives with information, that the senate have passed the first without, and the latter with amendments, in which the concurrence of that House is requested.

On motion of Messrs Dunlop and Garber,

The Senate resumed the second reading and adopted the reso-

lution presented yesterday, requiring certain information from the secretary of the Land Office.

On motion of Mr. Sutherland and Mr. Leech,

The order of the day for the election of directors of the Bank of Pennsylvania, the Philadelphia Bank and Columbia Bridge Company, was changed to Wednesday the 20th inst.

On motion of Mr. Ogle and Mr. Garber, the following resolution was twice read, considered and adopted, viz.

Resolved, That the committee appointed to attend the governor elect be directed to invite the Secretary and Deputy Secretary of the commonwealth, Auditor General, Surveyor General, Secretary of the Land Office, State Treasurer and Attorney General to attend the inauguration of the governor elect, on Tuesday, and that the clerk inform the House of Representatives of the same.

A motion was made by Mr. Ogle and Mr. Kitchen, and read as follows, viz:

Resolved, That a committee be appointed to join a committee of the House of Representatives, if that House should appoint such a committee, to examine into the state of the Bank of Pennsylvania and the Philadelphia Bank, and report the result thereof on or before the second Monday of January next.

Laid on the table.

On motion of Mr. Kerlin and Mr. Mann,

The following resolutions were twice read, considered and adopted, viz.

Resolved, That the committee on the judiciary system, be directed to inquire into the expediency of authorising orphans courts to order sale of the real estate of testators for payment of debts before advances have been made, and of making further provision for enabling said courts to decree contributions, and of empowering said courts to grant an order of sale to the sheriff, or some other fit person, in cases where the administrator neglects or refuses to furnish sureties and perfect a sale.

Resolved, That the committee on the judiciary system, be instructed to inquire into the expediency of directing courts of oyer and terminer to be held at stated terms.

Bills numbered and entitled as follow, were severally read the second time, and ordered to be transcribed for the third reading.

No. 8, "An act establishing the rates of ferriage at Greensburg, Greene county."

No. 9, "An act for the relief of Catharine Shartzler, and Mary Hollman, widows of revolutionary soldiers."

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on bill No. 5, entitled

"An act authorising the sale and conveyance of the right of the heirs of George Taylor, to a tract of land in Washington county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No. 7, entitled

"An act to authorise the making of an index to the road dockets, in the office of the clerk of the court of quarter sessions of Lancaster county."

After some time,

The committee rose and the chairman reported the bill without amendments.

Adjourned until 11 o'clock, on Monday morning next.

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## MONDAY, December 18, 1826.

Mr. Mann presented documents in support of the claim of James Murphy of the state of Ohio, a revolutionary soldier.

Said documents were laid on the table.

Mr. Seltzer presented two petitions of similar tenor from sundry inhabitants of the townships of Bethel and Tulpehocken in the county of Berks, praying that part of said townships may be annexed to the county of Lebanon.

Said petitions were referred to Messrs. Seltzer, Schall and Allshouse.

Mr. Sutherland presented the petition of sundry citizens, praying for the incorporation of a company for making a canal to connect the rivers Delaware and Schuylkill through the southern section of the county of Philadelphia.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Sutherland presented two petitions of similar tenor from sundry citizens of the city and county of Philadelphia, praying that the *Farmer's and Mechanic's Association in Pennsylvania*," may be incorporated.

Said petitions were referred to the members from the city and county of Philadelphia.

Mr. Sutherland presented the memorial of the tobacco manufacturers of the city and county of Philadelphia remonstrating against the passage of the bill entitled "*an act to prevent fraud in the sale of manufactured tobacco.*"

Which was laid on the table.

The Clerk of the House of Representatives being introduced informed, that the House of Representatives have concurred in the amendment by the Senate to the bill from the House of Representatives, No. 16. entitled "A further supplement to the act entitled 'An act authorising the governor to incorporate four companies for making an artificial road from the town of Washington, in this state, to intersect the Harrisburg and Pittsburg turnpike road, at or near the town of Bedford, passed the 18th day of March, 1816.'"

Laid on the table.

Mr. Sutherland from the committee on the subject, on leave given, reported bill No. 18, entitled

"A supplement to an act, entitled 'An act to provide for the education of children at the public expense within the city and county of Philadelphia.

Said bill was read the first time.

Mr. Herbert, from the committee to compare bills and present them to the Governor for his approbation—made report :

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day presented to the governor for his approbation the bills numbered and entitled as follow, to wit:

No. 16, "An act to enable the governor to appoint a notary public in the incorporated district of Kensington."

No. 14, "A further supplement to the act entitled an act authorising the governor to incorporate four companies, for making an artificial road, from the town of Washington, in this state, to intersect the Harrisburg and Pittsburg turnpike road, at or near the town of Bedford, passed the 18th day of March, 1816."

Laid on the table.

The Senate resumed the third reading of bill No. 1, entitled

"An act to provide for the more general promulgation of the laws and resolutions of the General Assembly of this commonwealth."

The question recurring,  
Shall this bill pass?

The yeas and nays were required by Mr. Duncan and Mr. Hamilton, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Knight,	
Duncan,		Leech,	
Dunlop,		Ogle,	
Emlen,		Petrikín,	
Hay,		Sutherland,	
Kerlin,		Mahon, speaker,	12.
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Power,	
Garber,		Ray,	
Hambright,		Ryon,	
Hamilton,		Schall,	
Hawkins,		Seltzer,	
Herbert,		Sturgeon,	
Hunt,		Sullivan,	
Mann,		Winter,	17.
Moore,			

So it was determined in the negative.

Bills numbered and entitled as follow, were severally read the third time and passed, viz.

No. 8, "An act establishing the rates of ferriage at Greensburg, Greene county."

No. 9, "An act for the relief of Catharine Shartzler, and Mary Hollman, widows of revolutionary soldiers."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

A motion was made by Mr. Audenried and Mr. Schall, and read as follows, viz.

Whereas the indefeasible rights inherent in every individual of this commonwealth, based on the broad principle of constitutional liberty, as proclaimed in its declaration, in the 9th article, section 10, "that no man's property shall be taken or applied to public use, without the consent of his representatives, and without just compensation being made." And whereas the constitutional rights of the citizens of this commonwealth are, and have been grossly violated at different times by chartered companies, incorporated for the constructing of canals and turnpikes, by entering on the premises of individuals, without making an adequate compensation for such entry, by the award of a disinterested jury, or by amicable proposals, made by either party.

Therefore,

Resolved, That the committee on the judiciary system, be instructed to inquire into the expediency of reporting a bill to pro-



fect more effectually such individual or individuals, from the unconstitutional violation of their rights as demonstrated in the preamble.

Laid on the table.

On motion of Mr. Herbert and Mr. Winter,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the committee on the judiciary system, be requested to inquire into the expediency of so modifying the laws of this commonwealth, as that all debts due by the estates of decedents, as well those by simple contract and book account, properly authenticated, as those by recognizance, bond and specialty, shall be paid without regard to the quality of the same, after the payment of all other debts heretofore provided for by law.

On motion of Messrs. Mann and Ray,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the committee on claims be directed to inquire into the expediency of granting a pension to James Murphy, for his revolutionary services in a corps of artillery, commanded by colonel William Proctor.

On motion,

Ordered, That the documents presented this morning, in support of the above named James Murphy, be referred to the committee on claims.

Bills numbered and entitled as follow, were severally read the second time, and ordered to be transcribed for the third reading.

No. 5, "An act authorising the sale and conveyance of the right of the heirs of George Taylor, to a tract of land in Washington county."

No. 7, "An act to authorise the making of an index to the road dockets, in the office of the clerk of the court of quarter sessions of Lancaster county."

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hunt in the chair, on bill No. 4, entitled

"An act to incorporate the trustees of the American Sunday School Union."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Friday the 22d instant.

Agreeable to order,

The Senate resolved itself into a committee of the whole, Mr. Kitchin in the chair, on bill No. 10, entitled

"An act authorising Jacob Zook, trustee of the Great Valley Quinist Society, in Chester county, to sell and convey certain real estate therein mentioned."

After some time,

The committee rose, and the chairman reported the bill without amendment

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No. 15, from the House of Representatives, entitled

"An act declaring Sinking creek, in Centre county, a public highway, from its mouth to Christian Keller's mill."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 11 o'clock, to-morrow morning.

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## TUESDAY, December 19, 1826.

Mr. King appeared and took his seat.

Mr. Sutherland presented the petition of John W. Shian, of Philadelphia county, praying to be divorced from the bonds of matrimony.

Which was referred to Messrs. Sutherland, Winter and Ham-bright.

Mr. Kerlin, from the committee on the subject, on leave given, reported bill No. 19, entitled

"An act to authorise the printing and distribution of an additional number of the pamphlet laws."

Mr. Seltzer, from the committee on the subject, on leave given, reported bill No. 20, entitled

"An act annexing part of Berks county to the county of Lebanon."

Said bills were read the first time.

Mr. Hawkins, from the committee on the judiciary system, to whom was referred a resolution, instructing them to inquire into the expediency of repealing the act entitled "An act to prohibit in courts of justice, the reading or quoting of British precedents, subsequent to the 4th July, 1776," reported:

That your committee are not aware that the people complain of any inconvenience from the law referred to in the resolution. That many useful hints may be gathered by our courts from the laborious research of English judges, on new, abstract and difficult questions of law, decided since the declaration of independence, your committee have no doubt; nor would your committee be so infatuated with the self-sufficiency of their own judiciary, as to reject good and wholesome principles, merely because they emanated from a judiciary acting under a government different from their own. But your committee are not prepared to say that there is any thing wrong in prohibiting the decisions of English courts of justice from being read as *authority* binding upon the consciences of judges here, subsequent to that time. That was the period at which the United States were separated from the mother country, from which it was their right and duty to make laws and administer them for themselves. Up to that period, the laws and judicial decisions which had governed in her colonial condition, were to remain in full force until altered. Your committee can see no propriety in extending it further. They therefore recommend the adoption of the following resolution.

Resolved, That the committee be discharged from the further consideration of the subject.

Laid on the table.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 5, "An act authorising the sale and conveyance of the right of the heirs of George Taylor to a tract of land in Washington county."

No. 7, "An act to authorise the making of an index to the road dockets in the office of the clerk of the courts of quarter sessions of Lancaster county."

Ordered, That the Clerk present the said bills to the House of Representatives for concurrence.

A motion was made by Mr. Dunlop and Mr. Hamilton, and read as follows, viz.

Whereas it is inconsistent with the spirit of our republican institutions, that the power of appointment to office by the executive should be without limitation,

Therefore

Resolved, That the judiciary committee be instructed to inquire into the expediency of limiting the duration of all offices, whose incumbents are subject to removal by the governor.

Laid on the table.

Bill No. 15, from the House of Representatives, entitled "An act declaring sinking creek, in Centre county, a public highway, from its mouth to Christian Keller's mill," was read the second time, and ordered to be prepared for the third reading.

**Bill No. 10, entitled**

**"An act authorising Jacob Zook, trustee of the Great Valley Ominist Society, in Chester county, to sell and convey a certain real estate therein mentioned,"** was read the second time, and

**Ordered, to be transcribed for a third reading.**

**Mr. Krepps and Mr. Burden, a committee from the House of Representatives, being introduced, informed the Senate that the members of that house are ready to receive the members of the Senate in their chamber, where the requisite oaths will be administered to the governor elect, agreeably to the resolutions of both houses of the legislature.**

**Whereupon,**

**On motion of Messrs. Hawkins and Ray,**

**The Senate withdrew to the chamber of the House of Representatives.**

**SAME DAY.**

**The Senate having returned to their chamber, the speaker informed, that after the governor had finished his inaugural address to the members of the two houses this day, he put into his hands a copy thereof which he now submitted to the Senate, and which was read as follows, viz.**

**FELLOW CITIZENS—**

**About to enter on another period of administration of the government, I avail myself of the opportunity which the occasion affords, to express the gratitude I feel for the new manifestation of the confidence with which my fellow citizens have been pleased to honor me. To be called to the chief magistracy by the freemen of Pennsylvania, even with claims sustained by a bare majority of voices, is the proudest honor that can be conferred on the most worthy of her sons—but the restoration, by common consent, of the high trust which I had surrendered, adds to the consciousness of having used my best endeavors to execute it faithfully an assurance that those by whom it was confided, have received my imperfect attempts to redeem the pledge given on my part, with favor and indulgence. Further than this an honest ambition cannot entertain a wish.**

**I again enter on my charge with unfeigned diffidence. A knowledge of its responsibilities, and of the unusual arduousness of its duties, are sufficient to convince me, that after I shall have exerted my best energies to accomplish the object set before me, I shall still have much to owe to the indulgence of the public:**

A rapid developement of resources, of which the importance and extent were till lately, neither appreciated nor understood, has hurried us forward to a period when the measures of the government must necessarily take a wider range than those of ordinary legislation. Our mountains and waste lands, which seemed to be doomed to everlasting barrenness, are found to teem with inexhaustible wealth, and to constitute, if not the fairest, certainly the richest portion of our territory. To the east, and to the north, anthracite and iron; to the west and to the south, iron, coal, glass and salt, in their various uses and application to manufactures and the arts, offer to industry and enterprise, the rich results of profitable labor, and an advantageous investment of capital. The benefits that flow directly from these sources, as well as from the increased extent and activity of internal commerce, are already in a state of insipient enjoyment; and experience of the past, irresistibly leads to the anticipation of an almost boundless prosperity, with which it has pleased the supreme ruler of the universe, in an especial manner to bless the people of this commonwealth. It will be the business of the government to promote these important interests by improving the means of transportation, and opening a market to the remotest parts of the state.

Fellow citizens, we have abundant cause of congratulation and gratitude for the many blessings we enjoy, both as an integral part of the nation and as a distinct community. Our country reposes in the lap of plenty and of peace. Disease which heretofore afflicted the land, has almost vanished, and has given place to all the blessings of health. Credit is re-established; the embarrassments consequent on an inordinate extension and sudden retrenchment of the currency removed, and a period at length put to the distressing sacrifice of property and individual suffering, which these causes had produced; economy in public and private expenditure is generally practised, and the body politic, by the bounty of Heaven, restored to its pristine health. A wise and judicious tariff has given increased activity to our infant manufactures, which already begin to rival the fabrics of the old world. The asperity of feeling, which of late arrayed political parties against each other, in all the bitterness of strife, has given place to a moderate but salutary jealousy, which makes them faithful and vigilant guardians of the constitution and the public liberty; and turns party spirit thus restrained to its legitimate object, into a blessing. The talents of many of our ablest and scientific men meet with encouragement and employment in the service of the public, and a certainty that much has been done that was deemed impracticable, invigorates exertion for what remains. Our schools and colleges, aided by the liberality of an enlightened legislature, flourish with an increased usefulness, and the spirit of experiment and free inquiry is abroad. With a knowledge of the manifold advantages we enjoy, let us continue to be thankful to the disposer of all good, and manifest our gratitude by an assiduous cultivation of the principles of virtue and religion. Let us not forget, that the public has much to expect from us. The political principles on which the govern-

ment has been administered, during the period just elapsed, are those on which I shall act in time to come; and with the more confidence, as they have received the sanction of the freemen of Pennsylvania. They are too generally known to require a particular exposition here. Errors in the administration of the government may undoubtedly be committed, but I will take leave to say with an honest boldness, that they never have, nor shall they in future be, the errors of the heart. At the time appointed in the constitution, my office shall be returned to those who gave it, unstained by a single act of wilful misgovernment. For every thing beyond this, I shall rest with unlimited confidence on the tried favor and indulgence of my fellow citizens.

J. ANDW. SHULZE.

*December 19, 1826.*

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

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## WEDNESDAY, December 20, 1826.

Mr. Sutherland obtained leave of absence for himself and his colleague, Mr. Hay, for a few days.

Mr. Schall obtained leave of absence for a few days from Friday next.

Messrs. Herbert and Hamilton obtained leave of absence for a few days from Saturday next.

The Speaker laid before the Senate the proceedings of a meeting of the citizens of Lancaster, remonstrating against the passage of the bill entitled

"An act concerning ground rents."

Which was laid on the table.

Mr. Leech, from the committee to whom was referred the resolution relative to the appointment of chaplains to the general assembly, reported:

That the joint committee have agreed to offer the following resolution.

Resolved, That the Senate appoint a committee, to unite with a similar committee from the House of Representatives, (if that

house should appoint such committee,) to wait on the clergy of the borough of Harrisburg, and procure their services in attending each morning in the chamber of the House of Representatives, to open the business of the assembly with prayer, in the presence of the members of both Houses.

Laid on the table.

Mr. Sutherland, from the committee on the subject, on leave given, reported bill, No. 22, entitled,

"An act to annul the marriage of John W. Shinn and Margaret, his wife."

Said bill was read the first time.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day re-appointed and commissioned General Isaac D. Barnard secretary of the commonwealth, during my continuance in office, agreeably to the fifteenth section of the second article of the constitution.

J. ANDW. SHULZB.

*Harrisburg, Dec. 19, 1826.*

Laid on the table.

The Clerk of the House of Representatives being introduced, presented for concurrence, the resolution, No. 21, entitled

"Resolutions relative to the construction of a break-water in the bay of Delaware."

Said resolutions were read the first time.

Bill No. 15, from the House of Representatives, entitled

"An act declaring Sinking creek, in Centre county, a public highway, from its mouth to Christian Keller's mill,"

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

Bill No. 10, entitled

"An act authorising Jacob Zook, trustee of the Great Valley Ominist Society, in Chester county, to sell and convey a certain real estate therein mentioned,"

Was read the third time and passed.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the election of three directors of the Bank of Pennsylvania, in conformity with the directions of the act entitled "An act to incorporate the subscribers to the Bank of Pennsylvania," passed March 30, 1793.

The clerks being first appointed tellers, and the votes being taken, were as follow, viz.

Messrs. Allshouse, Audenried, Duncan, Dunlop, Garber, Hambright, Hamilton, Hunt, Kerlin, King, Knight, Leech, Logan, Mann, Moore, Ogle, Petrikin, Power, Ray, Ryon, Schall, Seltzer, Sullivan, Sutherland, Winter, 25—voted for William J. Lieper.

Messrs. Allshouse, Audenried, Garber, Hambright, Hamilton, Hawkins, Herbert, King, Knight, Leech, Logan, Mann, Moore, Ogle, Petrikin, Power, Ray, Ryon, Schall, Seltzer, Sturgeon, Sullivan, Winter, Mahon, speaker, 24—voted for John T. Sullivan.

Messrs. Allshouse, Duncan, Dunlop, Garber, Hambright, Hamilton, Hawkins, Herbert, Hunt, Logan, Mann, Moore, Ogle, Power, Ray, Ryon, Schall, Seltzer, Sturgeon, Sutherland, Winter, Mahon, speaker, 22—voted for Abraham Okie.

Messrs. Audenried, Duncan, Dunlop, Hawkins, Herbert, Hunt, Kerlin, King, Knight, Leech, Petrikin, Sturgeon, Sullivan, Sutherland, Mahon, speaker, 15—voted for Mathew Carey.

Mr. Kerlin voted for George Emlen.

So it appeared that

William J. Lieper had	25 votes.
John T. Sullivan,	24
Abraham Okie,	22
Mathew Carey,	15
George Emlen,	1

Whereupon,

The Speaker declared that William J. Leiper, John T. Sullivan and Abraham Okie, were duly elected, on the part of the Senate, directors of the Bank of Pennsylvania, for the ensuing year.

Agreeably to order,

The Senate proceeded to the election of directors for the Philadelphia Bank, on the part of the Senate, as required by the fifth section of the act entitled "An act to extend the charter of the Philadelphia Bank," passed the 28th March, 1823,

The clerks being first appointed tellers, the members present voted as follow, viz.

Messrs. Allshouse, Duncan, Garber, Hambright, Hamilton, Hawkins, Herbert, King, Knight, Leech, Logan, Mann, Moore,



Ogle, Petrikin, Power, Ray, Ryon, Schall, Seltzer, Sturgeon, Sullivan, Sutherland, Winter, Mahon, speaker, 25—voted for Robert Patterson.

Messrs. Allshouse, Audenried, Duncan, Garber, Hambright, Hamilton, Hawkins, Herbert, King, Knight, Leech, Logan, Mann, Moore, Ogle, Power, Ray, Ryon, Seltzer, Sturgeon, Sullivan, Sutherland, Winter, Mahon, speaker, 24—voted for Alexander M'Caraher.

Messrs. Audenried, Petrikin and Schall, 3—voted for Mark Richards.

So it appeared that

Robert Patterson had	25 votes.
Alexander M'Caraher,	24
Mark Richards,	3

Whereupon,

The Speaker declared Robert Patterson and Alexander M'Caraher to be duly elected directors of the Philadelphia Bank, on the part of the Senate, for the ensuing year.

Agreeably to order,

The Senate proceeded to the election of a director of the Columbia Bridge Company, on the part of the Senate, for the ensuing year, the clerks being first appointed tellers.

The votes being taken, were as follow, viz.

Messrs. Allshouse, Audenried, Hamilton, Hawkins, Herbert, King, Leech, Logan, Mann, Moore, Ogle, Petrikin, Power, Ray, Ryon Schall, Seltzer, Sullivan, Sutherland, Winter, Mahon, speaker, 21—voted for Dr. Samuel Humes.

Messrs. Duncan, Dunlop, Garber, Hambright, Hunt, Knight, Sturgeon, 7—voted for William B. Hunt.

So it appeared that

Dr. Samuel Humes had	21 votes.
William B. Hunt,	7

Whereupon,

The Speaker declared Dr. Samuel Humes to be duly elected, on the part of the Senate, a director of the Columbia Bridge Company, for the ensuing year.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. King in the chair, on bill No. 12, entitled

"An act relative to the election of constables in Delaware county."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to-morrow.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 18, entitled

"An act to provide for the copying or transcribing of certain dockets or books of record, of the court of common pleas of Adams county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Knight and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Logan in the chair, on resolutions from the House of Representatives, No. 21, entitled

"Resolutions relative to the construction of a break-water in the bay of Delaware."

After some time,

The committee rose, and the chairman reported the resolutions without amendment.

On motion of Mr. Sutherland and Mr. Ogle,

Said resolutions were read the second time, and

On motion of Mr. Sutherland and Mr. Seltzer,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said resolution was read the third time and passed.

Ordered, That the clerk return the same to the House of Representatives, with information that the Senate have passed the same without amendment.

On motion of Mr. Knight and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 19, entitled

"An act to authorize the printing and distribution of an additional number of the pamphlet laws."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to-morrow.

The Secretary of the Commonwealth being introduced, presented a message from the governor, which was read as follows:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the general assembly, and directed the Secretary of the Commonwealth to return them to the House of Representatives, in which they originated, viz.

No. 14, "A further supplement to the act entitled an act an-

thorising the governor to incorporate four companies, for making an artificial road, from the town of Washington, in this state, to intersect the Harrisburg and Pittsburg turnpike road, at or near the town of Bedford, passed the 18th day of March, 1816."

No. 16, "An act to enable the governor to appoint a notary public in the incorporated district of Kensington."

J. ANDW. SHULZE.

*Harrisburg, December 18, 1826.*

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

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## THURSDAY, December 21, 1826.

Mr. Hamilton obtained leave of absence for Mr. Petrikin, for a few days from to-morrow.

Mr. Seltzer obtained leave of absence for a few days from to-morrow.

Mr. Emlen obtained leave of absence for a few days from Saturday next.

Mr. Duncan presented the memorial of the Philadelphia Chamber of Commerce, praying for some further legislative provisions for the regulation of pilots and pilotages.

Which, together with an item of unfinished business on the subject, to be found on the Journal of last session, (page 655,) were referred to Messrs. Duncan, Ogle, Audenried, Knight and Hunt.

Mr. Hunt presented the petition and documents of Jonathan Mifflin, of York county, praying for an investigation of the affairs of the Columbia Bridge Company.

Which were referred to the committee on banks.

Mr. Herbert presented the petition and documents of sundry citizens of Adams county, praying that a certain action of ejectment, now pending in the court of common pleas of Adams county, may be removed to and tried in Franklin county, before the Hon. Judge Todd and his associates.

Said petition and documents were referred to the committee on the judiciary system.

Mr. King presented the petition and documents of Charles Deshler, a justice of the peace for the county of Lehigh, praying that certain acts which he did in his official capacity may be legalised.

Said petition and documents were referred to Messrs. King, Ryan and Winter.

On motion of Mr. Audenried and Mr. Schall,

The resolution relative to damages done individuals by chartered companies, was read the second time.

The same being under consideration,

A motion was made by Mr. Audenried and Mr. Dunlop,

To amend the preamble, by inserting after the word "whereas," where it occurs the second time, the words "it is alleged."

Which was agreed to.

A motion was made by Mr. Hawkins and Mr. Ogle,

To amend the resolution by striking therefrom the words "the committee on the judiciary system," and inserting in lieu thereof these words, "a committee be appointed to report."

Which was agreed to.

A motion was then made further to amend the resolution, by striking out the word "demonstrated," and inserting in lieu the word "stated."

Which was agreed to.

On the question,

Will the Senate adopt the resolution as amended?

A motion was made by Mr. Dunlop and Mr. Kerlin, to amend the same, by striking out all that follows the word "report," and inserting the following, viz. "to what extent, in what manner, and by whom any of the alleged injuries have been committed."

Which was agreed to.

The question recurring,

Will the Senate adopt the resolution as amended?

It was determined in the affirmative.

Ordered, That Messrs. Audenried, Schall, Sturgeon, Mann and Power, be the committee for the purpose therein expressed.

On motion of Mr. Dunlop and Mr. Audenried,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the Secretary of the Commonwealth be instructed to furnish the Senate with a statement of the number of persons

in each county, entitled to receive the pamphlet laws agreeably to the first section of the act of 10th March, 1817.

The aggregate number of election districts in each county.

What number of pamphlet laws will remain after distributing to each county the quantity required by the 1st section of the act of 10th March, 1817, and the 2d section of the act of 5th February, 1820.

In what proportion the additional surplus copies are distributed to the several counties.

What prothonotaries have neglected, in 1823 and 1826, to make return of the number of persons entitled by the act of 10th March, 1817, to receive the pamphlet laws, and the number of election districts in their respective counties.

A motion was made by Mr. Leech and Mr. Schall,

That when the Senate adjourns, on Saturday next, it will adjourn to meet again on Wednesday the 27th instant.

Which was agreed to.

Bill No. 13, entitled

"An act to provide for the copying or transcribing of certain dockets or books of record, of the court of common pleas, of Adams county,"

Was read the second time.

The first and second sections were severally considered and agreed to.

The third section being under consideration,

A motion was made by Mr. Herbert and Mr. Winter,

To amend the same by adding thereto the following proviso.  
"Provided, That the fees and compensation to the respective officers, arising under this act, shall not be subject to taxation for the use of this commonwealth."

Which was agreed to.

The section as amended was then agreed to.

The preamble and title were severally considered and agreed to.

Ordered, That said bill be transcribed for the third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. King in the chair, on bill No. 12, entitled

"An act relative to the election of constables in Delaware county."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 17, entitled

“A further supplement to the act entitled, an act to raise and collect county rates and levies.”

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 11 o'clock, to-morrow morning.

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## FRIDAY, December 22, 1826.

Mr. Petrikin obtained leave of absence for Mr. Hamilton, for a few days from to-morrow.

Mr. Hawkins obtained leave of absence for Mr. Hunt, for a few days from this day.

Mr. Power presented the petition of sundry citizens of Beaver and Mercer counties, praying for the laying out and making of a state road from New Castle, in Mercer county, to Bassenhiem Furnace, in Beaver county, by way of Aikins' mills and Slippery Rock creek.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported two bills, numbered and entitled as follow, viz.

No. 23, “An act to lay out a state road from New Geneva, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek.”

No. 24, "An act for the construction of the Delaware and Schuylkill canal, at or near the city of Philadelphia."

Said bills were read the first time.

Mr. Herbert, from the committee to compare bills and present them to the Governor for his approbation—made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on yesterday presented to the governor for his approbation, the bills numbered and entitled as follow, to wit:

No. 15, "An act declaring Sinking creek, in Centre county, a public highway, from its mouth to Christian Keller's mill."

No. 21, "Resolutions relative to the construction of a break-water in the bay of Delaware."

Laid on the table.

Mr. Garber, from the committee on accounts, reported:

That they have settled the accounts of the Clerk of the Senate, as follows:

Paid for stationary,	\$784 60
2 copies of Sergeant and Rawle's Reports,	110 00
do. Binney's Reports,	40 00
Candles,	232 94
Oil,	54 90
Newspapers,	244 77
Book-binding,	85 04
Plans for chambers,	21 00
Printing German Journal,	338 00
Indexing Journal and Bills,	135 00
Wood,	110 25
Cleaning chamber,	260 00
Painting Senate chamber,	100 00
Postage,	100 00
Repairs to chairs, varnishing desks, &c.	77 26
Merchandise,	44 25
Two evaporators, &c.	33 25
Carpenter work,	12 75
Hauling,	18 12½
Sand, board walk and sundries,	44 87½
	<hr/>
	\$2,846 51
Cr. By warrant dated April 4, 1826,	\$ 450 00
do. do. 7, 1826,	1,400 00
By balance in hands of Clerk, on settlement, 10th April, 1826,	8 57
By balance due Clerk,	987 94
	<hr/>
	\$2,846 51

**Therefore,**

**Resolved, That the Speaker draw his warrant on the state treasurer, in favor of the clerk of the Senate, for the sum of nine hundred and eighty-seven dollars and ninety-four cents, the above balance in full.**

**On motion of Mr. Garber and Mr. Moore,**

**The report and resolution were read the second time, considered and adopted, and**

**A warrant was accordingly so drawn.**

**Bill No. 13, entitled**

**"An act to provide for the copying or transcribing of certain dockets or books of record, of the court of common pleas of Adams county,"**

**Was read the third time.**

**On the question,**

**Shall this bill pass?**

**A motion was made by Mr. Herbert and Mr. Winter,**

**To amend the bill in the third section, by inserting after the word "done," in the fourth line, these words, "and such further compensation as the commissioners and auditors of said county shall think the said clerk of the quarter sessions, register and recorder, entitled to for comparing said records."**

**Which was unanimously agreed to.**

**The question recurring,**

**Shall this bill pass?**

**It was determined in the affirmative.**

**Ordered, That the Clerk present the same to the House of Representatives for concurrence.**

**A motion was made by Messrs. Ogle and Leech,**

**That the Senate proceed to the second reading and consideration of the resolution relative to the appointment of chaplains to the general assembly.**

**On the question,**

**Will the Senate agree to the motion?**

**The yeas and nays were required by Mr. Emlen and Mr. Ogle, and are as follow, viz.**



YEAS.		YEAS.	
Messrs. Allshouse, Dunlop, Emlen, Hambright, Herbert, Kerlin, King, Kitchin,		Messrs. Knight, Mann, Ogle, Ryon, Schall, Seltzer, Sullivan, Winter,	
		16.	
NAYS.		NAYS.	
Messrs. Audenried, Duncan, Garber, Hamilton, Hawkins, Leech, Logan,		Messrs. Moore, Petrikin, Power, Ray, Sturgeon, Mahon, speaker,	
		13.	

So it was determined in the affirmative.

On the question,  
Will the Senate agree to the resolution?

The yeas and nays were required by Mr. Duncan and Mr. Ogle,  
and are as follow, viz.

YEAS.		YEAS.	
Messrs. Duncan, Hamilton, Leech, Logan,		Messrs. Power, Ray, Sturgeon,	
		7	
NAYS.		NAYS.	
Messrs. Allshouse, Audenried, Dunlop, Emlen, Garber, Hambright, Hawkins, Herbert, Kerlin, King, Kitchin,		Messrs. Knight, Mann, Moore, Ogle, Petrikin, Ryon, Schall, Seltzer, Sullivan, Winter, Mahon, speaker.	
		22	

So it was determined in the negative.

On motion of Messrs. Garber and Moore,

The following preamble and resolution was twice read, considered and adopted,

Whereas it is proper that a sum should be placed in the hands of the Clerk, to enable him to defray the contingent expenses of the present session.

Therefore,

Resolved, That the speaker draw his warrant on the state treasurer, in favor of the clerk of the Senate, for one thousand dollars, for the above purpose, to be accounted for by him in the farther settlement of his account.

A warrant was accordingly so drawn.

Bill No. 12, entitled

"An act relative to the election of constables in Delaware county,"

Was read the second time.

The first and only section was considered and agreed to.

The title was agreed to, after being amended so as to read, "An act relative to the election of constables in certain counties."

Bill No. 17, entitled

"A further supplement to the act entitled an act to raise and collect county rates and levies,"

Was read the second time, and

Ordered, That said bills be transcribed for the third reading.

The Clerk of the House of Representatives bring introduced, presented for concurrence, the bills entitled as follow, viz.

No. 25, "An act authorising the governor to incorporate the Schuylkill Valley Navigation Company."

No. 26, "An act to regulate constables' fees."

Said bills were read the first time.

He also returned the bill from the Senate, entitled

No. 9, "An act for the relief of Catharine Shartzer, and Mary Hollman, widows of revolutionary soldiers."

And informed that the House of Representatives have passed the same without amendment.

On motion of Mr. Ogle and Mr. Mann,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 26, from the House of Representatives, entitled

"An act to regulate constables' fees."

After some time,

The committee rose, and the chairman reported the bill without amendment.

The Secretary of the Commonwealth being introduced, presented a message from the governor, which was read as follows:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following act and resolution of the general assembly, and directed the Secretary of the Commonwealth to return them to the House of Representatives, in which they originated, viz.

No. 15, "An act declaring Sinking creek, in Centre county, a public highway, from its mouth to Christian Keller's mill."

No. 21, "Resolutions relative to the construction of a break-water in the bay of Delaware."

J. ANDW. SHULZE.

*Harrisburg, December 21, 1826.*

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

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## SATURDAY, December 23, 1826.

Mr. Power presented the petition of sundry citizens of South Beaver township, in Beaver county, praying that the place of holding their general elections may be changed to the house of Samuel Lawrence, in said township.

Which was referred to the committee on election districts.

Mr. Duncan, from the committee on the subject, on leave given, reported bill No. 27, entitled,

"A further supplement to the act entitled an act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

Said bill was read the first time.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 12, "An act relative to the election of constables in certain counties."

No. 17, "A further supplement to the act entitled an act to raise and collect county rates and levies."

Ordered, That the Clerk present the said bills to the House of Representatives for concurrence.

On motion of Mr. Ogle and Mr. Power,

The resolution relative to the appointment of a committee to examine the state of the Bank of Pennsylvania, and the Philadelphia Bank, was read the second time, considered and disagreed to.

A motion was made by Mr. Ogle and Mr. Dunlop, and read as follows:

Resolved, That the Clerk be directed to procure a copy of the Holy Bible, (without notes,) for the use of the Senate, and one copy of the latest and most approved edition of the Dictionary of the English language. ✽

On motion,

Said resolution was read a second time.

The same being under consideration,

A motion was made by Mr. Mann and Mr. Power,

To amend the same, by striking therefrom the words "one copy of the Holy Bible," and inserting in lieu these words, "three copies of the Holy Bible."

Which was agreed to.

The resolution as amended was then adopted.

Adjourned until 11 o'clock, on Wednesday morning next.

**WEDNESDAY, December 27, 1826.**

The Speaker laid before the Senate a letter from the Auditor General, which was read as follows, viz.

**AUDITOR GENERAL'S OFFICE,**

*December 25, 1826.*

SIR—

In compliance with the forty-sixth section of the act entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts, and the payment of the public moneys, and for other purposes," passed 30th March, 1811, I have delivered to the Clerk of the House of Representatives, six hundred printed copies of a report, exhibiting a condensed statement of the finances of the commonwealth, for the preceding year, commencing with the 1st December, 1825, and ending with the 30th November, 1826.

With great respect,

I am, your ob't serv't,

**DAVID MANN.**

*To Hon. Alexander Mahon,  
Speaker of the Senate.*

Laid on the table.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of James Moore, reported:

That the petitioner states, that in the year 1797, two Indians, professing to be friendly, came to trade with James Alexander, and there fell in company with a certain David Clarke, who followed the Indians some distance, and was found next morning murdered, in the road: that said James Moore, with one assistant, followed said Indians, and brought them to Pittsburg, as prisoners; for which service he never received any compensation. He therefore humbly asks, as much as any of us would have charged, for similar services. Your committee, after a careful examination of the petition and documents, are of the opinion, that the prayer of the petitioner ought not to be granted; inasmuch as the circumstance, (if true,) took place in 1797, in time of profound peace, when such offences should be punished by the civil authorities, and those who brought the offenders to justice, remunerated by the county where the crime was committed; and inasmuch as no evidence appears

that said Indians were committed, nor any record of the court to prove any of the facts as stated in the petition; and as it is a novel application, and one that would probably open a door for many more of a similar kind, they therefore conceive it would be unwise and improper to give the petitioner any remuneration, and offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

Laid on the table.

Mr. Duncan read in his place, and on leave given, presented to the chair, bill No. 28, entitled

"An act for the appointment of an inspector of pot and pearl ashes, for the port of Philadelphia, and for the regulation of the inspection of the same."

Said bill was read the first time.

Bill No. 26, from the House of Representatives, entitled

"An act to regulate constables' fees."

Was read the second time, and

Ordered to be prepared for the third reading.

On motion of Mr. Knight and Mr. Leech,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 23, entitled

"An act to lay out a state road from New Geneva, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek."

After some time,

The committee rose, and the chairman reported the bill with one amendment.

A motion was made by Mr. Ogle and Mr. Hawkins, That the Senate proceed to the second reading and consideration of said bill.

Which was not agreed to.

Adjourned until 11 o'clock, to-morrow morning.

**THURSDAY, December 28, 1826.**

Mr. Power presented the petition of sundry inhabitants of the counties of Allegheny and Beaver, praying for the laying out of a state road, from Hookstown, in Beaver county, to the Pittsburgh and Steubenville turnpike, in the direction of the city of Pittsburgh.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Kerlin presented the petition of sundry citizens of the borough of Chester, in Delaware county, praying for certain alterations in the act of incorporation of said borough.

Which was referred to Messrs. Kerlin, Logan and Dunlop.

Mr. Kerlin presented the petition of sundry citizens of the county of Delaware, praying for certain alterations in the law regulating fisheries in the river Delaware.

Which was read, and referred to Messrs. Kerlin, Mann and Winter.

Mr. King presented the petition of sundry inhabitants of the counties of Berks, Lehigh and Northampton, praying for the laying out of a state road from Kutztown, in Berks county, through Seagersville, in Lehigh county, to Mauch Chunk, in Northampton county.

Which was referred to Messrs. King, Winter and Leech.

The Speaker laid before the Senate a letter, accompanied with a document, from the Secretary of the Commonwealth, which were read as follow, viz.

**SECRETARY'S OFFICE,**

*December 27, 1826.*

*To Alexander Mahon, Esq.*

*Speaker of the Senate.*

SIR—

In obedience to a resolution of the Senate, of the 21st instant, requiring the Secretary of the Commonwealth to furnish a statement of the number of persons in each county, entitled to receive the pamphlet laws, agreeably to the 1st section of the act of 10th of March, 1817.

The aggregate number of election districts in each county, what number of pamphlet laws will remain, after distributing to each county, the quantity required by the 1st section of the act of 10th of March, 1817, and the 2d section of the act of 5th February, 1820.

In what proportion the additional surplus copies are distributed to the several counties.

And what Prothonotaries have neglected in 1823 and 18 6, to make return of the number of persons entitled by the act of the 10th of March, 1817, to receive the pamphlet laws, and the number of election districts in their respective counties

I have the honor to report that by the act of the 22d of March 1824, the Secretary of the Commonwealth is authorised to contract for the printing, stitching, covering and delivery of *three thousand* copies of the pamphlet laws, to be distributed according to the several laws and resolutions of the legislature.

The annexed statement will shew the number of persons in each county, entitled to receive them. The number of justices of the peace in each county, is furnished from the records of the office, but may not be entirely correct, as there may have been deaths, removals from their districts and vacancies from other causes, not reported or known to this department.

The same statement also shows the number of election districts in each county, as correctly as the same could be ascertained.

The fifth section of the act of 10th of March 18 7, required the Prothonotary of each county, to forward to this office, on or before the 1st of June then following, and every three years thereafter, the number of persons entitled by that act to receive the pamphlet laws, together with the number of election districts in his county; and I am informed, that a copy of this part of the act was immediately transmitted to each Prothonotary; and returns from them, (made in pursuance of the law) were received in the year 1817, and are on file in the office, from all but two, of the counties in the state. Since that period, no returns appear to have been made.

It is presumed that the Prothonotaries were not generally aware of the act requiring this duty of them, or finding that there were no surplus copies for distribution, considered it unnecessary to make further returns. In making out the statement of elections district, I therefore had to examine not only the returns of 1817, but all the acts of assembly, creating election districts since that time, and having obtained information from other sources, I believe the statement is very nearly correct.

In obedience then to the last clause of the resolution, I report, that no return from Prothonotaries under the act of 10th of March, 18 7, are found in this office subsequent to the year 1817.

It will be seen by the statement exhibited, that the number of pamphlet laws now authorised, is not sufficient to supply the persons entitled by the acts of 10th of March 1817, and 5th of February, 1820, and that there is of course, no surplus for distribution. I have also taken the liberty, although not required by the resolution, to exhibit a statement of the number of pamphlet laws directed to be distributed by the act of 24th of March, 1818, and resolutions of the 5th, 23d, and 27th of March 1819, being I believe all the laws and resolutions with those before mentioned, now in force, that provide for their distribution.

I have the honor to be,

Very respectfully your obedient servant,

I. D. BARNARD, Sec'y. of Com'th.

Laid on the table.



*Of the number* **Amphlet Laws,**

twenty-ninth day of November, in the year of our Lord, one thousand eight hundred and twenty-five, and forwarded, to the governor of this state, are not approved.

Therefore,

Resolved, That the Speaker draw his warrant on the state treasurer, in favor of the clerk of the Senate, for the sum of nine hundred and eighty-seven dollars and ninety-four cents, the above balance in full.

On motion of Mr. Garber and Mr. Moore,

The report and resolution were read the second time, considered and adopted, and

A warrant was accordingly so drawn.

Bill No. 13, entitled

"An act to provide for the copying or transcribing of certain dockets or books of record, of the court of common pleas of Adams county,"

Was read the third time.

On the question,

Shall this bill pass?

A motion was made by Mr. Herbert and Mr. Winter,

To amend the bill in the third section, by inserting after the word "done," in the fourth line, these words, "and such further compensation as the commissioners and auditors of said county shall think the said clerk of the quarter sessions, register and recorder, entitled to for comparing said records."

Which was unanimously agreed to.

The question recurring,

Shall this bill pass?

It was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

A motion was made by Messrs. Ogle and Leech,

That the Senate proceed to the second reading and consideration of the resolution relative to the appointment of chaplains to the general assembly.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Emlen and Mr. Ogle, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse, Dunlop, Emlen, Hambright, Herbert, Kerlin, King, Kitchin,		Messrs. Knight, Mann, Ogle, Ryon, Schall, Seltzer, Sullivan, Winter,	
		16.	
NAYS.		NAYS.	
Messrs. Audenried, Duncan, Garber, Hamilton, Hawkins, Leech, Logan,		Messrs. Moore, Petrikin, Power, Ray, Sturgeon, Mahon, speaker,	
		13.	

So it was determined in the affirmative.

On the question,  
Will the Senate agree to the resolution?

The yeas and nays were required by Mr. Duncan and Mr. Ogle,  
and are as follow, viz.

YEAS.		YEAS.	
Messrs. Duncan, Hamilton, Leech, Logan,		Messrs. Power, Ray, Sturgeon,	
		7	
NAYS.		NAYS.	
Messrs. Allshouse, Audenried, Dunlop, Emlen, Garber, Hambright, Hawkins, Herbert, Kerlin, King, Kitchin,		Messrs. Knight, Mann, Moore, Ogle, Petrikin, Ryon, Schall, Seltzer, Sullivan, Winter, Mahon, speaker.	
		23	

So it was determined in the negative.

On motion of Messrs. Garber and Moore,

The following preamble and resolution was twice read, considered and adopted,

Whereas it is proper that a sum should be placed in the hands of the Clerk, to enable him to defray the contingent expenses of the present session.

Therefore,

Resolved, That the speaker draw his warrant on the state treasurer, in favor of the clerk of the Senate, for one thousand dollars, for the above purpose, to be accounted for by him in the further settlement of his account.

A warrant was accordingly so drawn.

Bill No. 12, entitled

"An act relative to the election of constables in Delaware county,"

Was read the second time.

The first and only section was considered and agreed to.

The title was agreed to, after being amended so as to read, "An act relative to the election of constables in certain counties."

Bill No. 17, entitled

"A further supplement to the act entitled an act to raise and collect county rates and levies,"

Was read the second time, and

Ordered, That said bills be transcribed for the third reading.

The Clerk of the House of Representatives bring introduced, presented for concurrence, the bills entitled as follow, viz.

No. 25, "An act authorising the governor to incorporate the Schuylkill Valley Navigation Company."

No. 26, "An act to regulate constables' fees."

Said bills were read the first time.

He also returned the bill from the Senate, entitled

No. 9, "An act for the relief of Catharine Shartzler, and Mary Hollman, widows of revolutionary soldiers."

And informed that the House of Representatives have passed the same without amendment.

On motion of Mr. Ogle and Mr. Mann,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 26, from the House of Representatives, entitled

"An act to regulate constables' fees."

After some time,

The committee rose, and the chairman reported the bill without amendment.

The Secretary of the Commonwealth being introduced, presented a message from the governor, which was read as follows:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following act and resolution of the general assembly, and directed the Secretary of the Commonwealth to return them to the House of Representatives, in which they originated, viz.

No. 15, "An act declaring Sinking creek, in Centre county, a public highway, from its mouth to Christian Keller's mill."

No. 21, "Resolutions relative to the construction of a break-water in the bay of Delaware."

J. ANDW. SHULZE.

*Harrisburg, December 21, 1826.*

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

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## SATURDAY, December 23, 1826.

Mr. Power presented the petition of sundry citizens of South Beaver township, in Beaver county, praying that the place of holding their general elections may be changed to the house of Samuel Lawrence, in said township.

Which was referred to the committee on election districts.

Mr. Duncan, from the committee on the subject, on leave given, reported bill No. 27, entitled,

"A further supplement to the act entitled an act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

Said bill was read the first time.

WAYS.

Messrs. Allshouse,  
Hawkins,  
Leech,

WAYS.

Messrs. Mann,  
Power,  
Sullivan,

6

So it was determined in the affirmative.

Bill No. 28, entitled

"An act to lay out a state road from New Geneva, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Knight and Mr. Hawkins,

To reinstate the sixth section of the printed bill.

Which was agreed to.

The sections and title were then severally considered and agreed to. and

Ordered, That said bill be transcribed for the third reading.

On motion of Mr. Mann and Mr. Ryon,

The rule for going into committee of the whole, being in this case dispensed with, bill No. 29, entitled

"An act to repeal the first section the act entitled an act for the relief of sundry widows of revolutionary soldiers,"

Was read the second time, and

On motion of Messrs. Mann and Ryon,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Adjourned until eleven o'clock, to-morrow morning.

**FRIDAY, December 29, 1826.**

Mr. Herbert presented two petitions, of similar tenor, from sundry citizens of the counties of York, Adams and Cumberland, praying for the laying out a state road from Dillsburg, in Adams county, to intersect the Menallen road at the town of Berlin, in said county.

Which was referred to Messrs. Herbert, Logan and Allshouse.

The Speaker laid before the Senate a letter, accompanied with documents, from the Secretary of the Land Office, which were read as follows, viz.

**LAND OFFICE OF PENNSYLVANIA,**

*December 27, 1826.*

*To the honorable Alexander Mahon,  
Speaker of the Senate.*

SIR—

In obedience to a resolution of Senate, passed the 16th instant, requiring the Secretary of the Land Office to report to Senate,

The amount of moneys certified to be due upon patents between the 25th of January, 1816, and 1st of May, 1817.

What amount of money so certified upon patents has been paid.

A statement, or calculation, shewing the effect of calculating interest upon the aggregate of principal and interest, under the provision of the act of 25th of January, 1816.

A statement shewing the operation of the sixth section of the act of 22d March, 1822, and the first section of the act of 1st April, 1823, which allow deductions of seven year's interest.

A statement of the price of public lands in different parts of the state.

A statement of the moneys received for lands on which interest has been computed agreeably to the act of 25th January, 1816, from the 25th January, 1816, till 1st December, 1826; the whole, amount received annually; what amount thereof was interest; what the simple interest, and what the additional interest arising from the operation of said act requiring interest to be calculated upon the aggregate of principal and interest.

I have the honor to submit the accompanying statements:

The paper marked A, shews the amount certified to be due on

patents issued, on liens between the 25th January, 1816, and first May, 1817, and also the amount since paid thereon.

The paper marked B, and numbered 1 and 2, shews the effect of calculating interest on the aggregate of principal and interest, due on the 25th January, 1816.

The paper marked C, and numbered from 1 to 5, shews the operation of the 6th section of the act of the 22d March, 1822, and of first section of the act of 1st April, 1823.

The paper marked D, shews the price of public land in the different parts of the state, and at different periods.

The statement marked E, shews the amount of moneys received at the treasury on which interest was calculated agreeably to the act of 25th January, 1816, and a computation of what part was simple interest, and what the additional interest arising from the operation of said act.

All which is respectfully submitted,

By your obedient servant,

JOSHUA DICKERSON,

*Sec'ry Land Office.*

### A.

Amount certified on patents issued on liens, between the 25th January, 1816, and 1st May, 1817; and also, the amount since paid thereon,

Amount certified,	\$ 6,628 29
Amount paid,	1,290 14
Interest paid,	180 74
Principal unpaid,	5,468 89

### B—No. 1.

Calculations shewing the operation of the act of 25th January, 1816, calculated at simple interest.

300 acres, on warrant to A. B. dated the 2d June, 1752, to pay £ 15 10s., interest from 1st March, 1736.

Land,	\$ 124 00
Interest from 1st March, 1736, to 1st December, 1826, is 90 years 9 months,	675 18

Paid at date of warrant,

799 18
40 00
<hr/>
\$ 759 18



The same calculated on the aggregate, agreeably to the act of 25th January, 1816.

Land,	£124 00
Interest from 1st March, 1736, to 25th January, 1816, is 79 years, 10 months, 24 days,	594 46
	<hr/>
	718 46
Paid at date of warrant,	40 00
	<hr/>
	678 46

Interest on the aggregate, from 1st January, 1816, to the 1st December, 1826, 10 years, 10 months, 7 days,

441 78

---

1,120 24

The same interest calculated on the aggregate, and a deduction of seven years interest, allowed agreeably to the act of 22d March, 1822.

Land,	124 00
Interest from 1st March, 1736, to 25th January, 1816, (less 7 years,) 72 years, 10 m'hs, 24 days,	542 38
	<hr/>
	666 38
Paid at date of warrant,	40 00
	<hr/>
	626 38

Interest on the aggregate, from 1st January, 1816, to the 1st December, 1826, 10 years, 10 months, 7 days,

407 87

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1,034 25

## No 2.

(Calculated at simple interest.)

300 acres, on location entered by C.B. the 2d September, 1766, to pay £5 sterling per ct. Interest from six months after date.

Land,	£66 66
Interest from 2d March, 1767, to the 1st December, 1826, 59 years, 8 months, 29 days,	238 98
	<hr/>
	305 64

The same calculated on the aggregate. agreeably to the act of 25th January, 1816.

Land,	66 66
Interest from 2d March, 1767, to the 25th January, 1816, 48 years, 10 months, 23 days,	195 58
	<hr/>
	262 24

Interest from 25th January, 1816, to 1st December, 1826, 10 years, 10 months, 7 days,

170 76

---

433 00

The same calculated on the aggregate, and a deduction of 7 years interest, allowed agreeably to the act of 22d March, 1822.

Land,	\$ 66 66
Interest from 2d March, 1774, to the 25th January, 1816, 41 years, 10 months, 23 days,	167 56
	<hr/>
	234 22
Interest from 25th January, 1816, to the first December, 1826, 10 years, 10 months, 7 days,	152 29
	<hr/>
	386 45

## C.

## No. 1.

*Calculated agreeably to the first section of the act of first April, 1825, allowing seven years interest to be deducted.*

300 acres, on warrant to E. F. dated June 4th, 1784, on improvement commenced 30th November, 1776.

To pay £. 10 per ct. Interest from 30th November, 1776.

Land,	\$ 80 00
Interest from 30th November, 1776, to 4th June, 1784, after deducting 7 ys. 6 ms. 4 ds.	2 45
	<hr/>
	82 45
Paid,	80 00
	<hr/>
	2 45
Interest from 4th June, 1784, to 25th January, 1816, 31 years, 7 months, 21 days,	4 69
	<hr/>
	7 14
Interest from 25th January, 1816, to 1st December, 1826, 10 years, 10 months, 7 days,	4 65
	<hr/>
	\$11 79

## No. 2.

The same calculated without allowing the deduction of 7 years interest.

Land,	\$80 00
Interest from 30th November, 1776, to 4th June, 1784, not allowing the deduction of 7 years—7 years, 6 months, 4 days,	36 05
	<hr/> 116 05
Paid,	80 00
	<hr/> 36 05
Interest from 4th June, 1784, to 25th January, 1816, 31 years, 7 months, 21 days	68 44
	<hr/> 104 49
Interest from 25th January, 1816, to 1st Dec 1826, 10 years, 10 months, 7 days,	68 04
	<hr/> \$172 53

## No. 3.

In this case no deduction is allowed by law.

300 acres, on warrant to G. H. dated 4th June, 1784, on im-  
provement commenced 4th December, 1776.

Land,	\$80 00
Interest from 4th December, 1776, to 4th June, 1784, 7 years, 6 months,	36 00
	<hr/> 116
Paid,	80 00
	<hr/> 36 00
Interest from 4th June, 1784, to 25th January, 1816, 31 years, 7 months, 21 days,	68 35
	<hr/> 104 35
Interest from 25th January, 1816, to 1st December, 1826, 10 years, 10 months, 7 days,	67 94
	<hr/> \$172 29

**D.*****Price of PUBLIC LANDS in Pennsylvania at different periods.***

When the proprietaries first opened a Land Office, warrants were issued at various terms. Some for a specified sum paid at the time; others for a price to be afterwards agreed on; and others at fifteen pounds ten shillings per hundred acres; one shilling per acre to be paid at the date of the warrant, and the residue in six months from the date, with interest from the first improvement, if improved. These were the general terms up to December, 1762. From December, 1762, until December, 1768, the price of vacant or unimproved lands was reduced to nine pounds currency, per hundred acres. From December, 1768, to August, 1765, the price was again raised to fifteen pounds, ten shillings, per hundred acres, whether improved or unimproved. From August, 1765, until the proprietaries ceased to issue warrants, the price was reduced to five pounds sterling, per hundred acres, for unimproved land, and for improved the price was regulated by the time the improvement was commenced.

By the act of the first April, 1784, opening the Land Office for the sale of unappropriated lands, within the purchases then made from the Indians, the price was fixed at ten pounds per hundred acres,\* and if improved, interest from the date of the first improvement. This price was continued until the 3d April, 1792. By the act of 5d April, 1792, the price of lands within the purchase of 1768, and the previous purchases, was reduced to fifty shillings per hundred acres, if unimproved, but if improved previous to that date, ten pounds, and interest from the date of improvement. And by the act of 22d September, 1794, improvement and settlement was required before a warrant could issue. By the act of 28th March, 1814, the price of land within the purchase of 1768, and the previous purchases, was raised to ten pounds for unimproved, and if improved the price to be regulated by the date of improvement. By the act of 21st December, 1784, the price of land purchased from the Indians in 1784, was thirty pounds per hundred acres, until the 3d of October, 1788, when it was reduced to twenty pounds, from that day until the 8d April 1792, when it was reduced to five pounds; and by the act of 22d September, 1794, improvement and settlement were required before warrants could issue. By the act of 10th March, 1817, the act of 22d September, 1794, requiring settlement, was repealed, and the price raised to ten pounds per hundred acres, and if improved, interest from the date of improvement. By the act of 5d April, 1792, the price of land north and west of the rivers Ohio and Allegheny and Conewango creek, was fixed at twenty dollars per hundred acres, and has not since been altered.

\* In the second section of this act, there is an exception in the following words: "Excepting such tracts as shall be surveyed westward of the Allegheny mountain, which shall be three pounds, ten shillings, and no more." How this section was construed at the time, cannot now be ascertained; but no land was sold at that price in any part of the state.

*STATEMENT of moneys received for lands, on which interest was computed agreeably to the 4th section of an act of the General assembly, passed the 25th January, 1816, received from the first day of May, 1817, to the first of December, 1826, showing the whole amount received annually, what amount thereof was interest, what portion was simple interest; and what additional or interest arising from the operations of said act, and also the number of patents issued within the same time.*

	Whole am't received.	Whole am't of interest.	Simple interest.	Compound interest.	Number of patents iss'd.
Received from 1st May, to 1st December, 1817,-----	813,401 72	1,103 95	287 20	816 75	303
Received from 1st December, 1817, to 1st December, 1818,	31,422 74	4,098 69	718 07	3,380 62	647
Received from 1st December, 1818, to 1st December, 1819,	19,437 76	3,373 47	781 55	2,591 92	581
Received from 1st December, 1819, to 1st December, 1820,	12,116 07	2,579 25	756 42	1,822 83	325
Received from 1st December, 1820, to 1st December, 1821,	20,243 66	5,072 03	1,470 73	3,601 30	486
Received from 1st December, 1821, to 1st December, 1822,	54,595 52	15,203 51	4,390 69	10,812 82	771
Received from 1st December, 1822, to 1st December, 1823,	36,405 17	11,311 46	2,668 69	8,642 77	486
Received from 1st December, 1823, to 1st December, 1824,	32,213 77	10,844 49	3,065 18	7,759 31	426
Received from 1st December, 1824, to 1st December, 1825,	16,566 19	5,969 17	1,675 16	4,314 01	331
Received from 1st December, 1825, to 1st December, 1826,	30,933 70	11,370 26	2,534 75	9,435 51	377
	267,136 34	71,546 28	18,568 44	53,177 84	4,733

On motion,

Said letter and documents were referred to Messrs. Dunlop, Ogle and King.

Mr. Herbert, from the committee to compare bills and present them to the Governor for his approbation—made report :

That in conjunction with a similar committee from the House of Representatives, they have compared and on Saturday, presented to the governor for his approbation, the bill numbered and entitled as follows, to wit:

No. 9, "An act for the relief of Catharine Shartzler and Mary Hollman, widows of revolutionary soldiers."

Laid on the table.

Bill No. 23, entitled

"An act to lay out a state road from New Geneva, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek,"

Was read the third time and passed.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

A motion was made by Mr. Duncan and Mr Mann, and read as follows, viz.

Whereas the present system of regulating weights and measures, beams and scales, in the city and county of Philadelphia, is extremely defective, and the laws of this commonwealth enforcing the same, in the manner of their execution are oppressive and burdensome to the people, without answering the end contemplated by the legislature in their enactment:

Therefore,

Resolved, That a committee be appointed to inquire into the expediency of repealing the present laws on the subject, and providing some better system of regulating the weights and measures, beams and scales throughout the commonwealth.

Laid on the table.

A motion was made by Mr. Hawkins and Mr. Ogle, and read as follows, viz:

Whereas imprisonment for any thing but crime, is believed to be at variance with the spirit of our republican institutions and the personal rights of freemen:

Therefore,

Resolved, That the judiciary committee be instructed to inquire into the expediency of reporting a bill abolishing imprisonment for debt.

Laid on the table.

A motion was made by Messrs. Mann and Kerlin, and read as follows, viz:

Whereas the increased population in the several counties of this commonwealth, has caused business to accumulate in our courts of justice to a great extent, so that instead of a three days session at several terms, they are under the necessity of sitting two weeks, exclusive of adjourned courts; And whereas, the compensation to associate judges, is little more, in some counties, than sufficient to pay their expenses while attending at the regular terms:

Therefore,

Resolved, That the judiciary committee be instructed to inquire into the expediency of reporting a bill, increasing the compensation of the associate judges, so that they shall receive an equivalent for their services, in proportion to the time they are necessarily employed in the discharge of their official duties.

Laid on the table.

On motion of Mr. Garber and Mr. Sturgeon,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the Speaker draw his warrant on the state treasurer, in favor of Schneider and Myers, printers of the German Journal, for the sum of three hundred and fifty dollars, they to account for the same in the settlement of their accounts.

A warrant was accordingly so drawn.

Adjourned until 11 o'clock, to-morrow morning.

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## SATURDAY, December 30, 1826.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported bill No. 30, entitled

"An act authorising the laying out a state road in Beaver and Mercer counties, and also in Beaver and Allegheny counties."

Mr. Kerlin, from the committee on the subject, on leave given, reported bill No. 31, entitled

"A supplement to the act entitled an act to erect the town of Chester and its vicinity, in the county of Delaware, into a borough, and for other purposes."

Mr. King, from the committee on the subject, on leave given, reported bill No. 32, entitled

"An act to make valid certain acts of Charles Deshler, a justice of the peace."

Mr. Hawkins, from the committee on the judiciary system, reported bill No. 33, entitled

"An act abolishing the middle, southern, and Lancaster districts of the supreme court, and establishing one at Harrisburg."

Said bills were read the first time.

A motion was made by Mr. Ogle and Mr. Kitchin,  
That when the Senate adjourns, it will adjourn to meet again on  
Tuesday next.

(On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle, and Mr. Hawkins,  
and are as follow, viz.

YEAS.  
Messrs. Allsnouse,  
Kitchin,  
Ogle,

YEAS.  
Messrs. Ryon,  
Mahon, speaker. 5

NAYS.  
Messrs. Duncan,  
Dunlop,  
Garber,  
Hawkins,  
Herbert,  
Kerlin,  
King,  
Knight,

NAYS.  
Messrs. Leech,  
Mann,  
Moore,  
Power,  
Sturgeon,  
Sullivan,  
Winter, 15

So it was determined in the negative.

On motion of Messrs. Leech and Winter,

The following resolution was twice read, considered and  
adopted, viz.

Resolved, That the committee on the Judiciary system be, and  
they hereby are instructed to inquire whether any, and if any, what  
amendments can be made in the resolutions relative to the state  
map, passed the 28th day of March, 1825.

Adjourned until 11 o'clock, on Monday morning next.

## MONDAY, January 1, 1827.

The Speaker laid before the Senate a letter from the Auditor  
General, accompanied with documents, which were read as fol-  
low, viz.

### AUDITOR GENERAL'S OFFICE,

Dec. 30, 1827.

Sir—

Agreeably to the provisions of the acts entitled "An act to ex-  
tend the charter of the Philadelphia Bank," passed 28th March,  
1823; "An act to extend the charter of the Bank of the Northern  
Liberties, in the county of Philadelphia," passed 31st March, 1823;  
"An act to re-charter certain banks," passed 25th March, 1824;



"A supplement to an act entitled an act to authorise the governor of this commonwealth to incorporate a company for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia," passed the 29th March, 1824; "An act establishing a bank in the district of Southwark, in the county of Philadelphia," passed 21st February, 1825, "An act to incorporate the Kensington Bank, of the county of Philadelphia," passed 8th April, 1826; I have the honor of transmitting to the Senate, copies of the statements for the preceding year, of the banks established by said acts.

With respect, I am,

Sir, your ob't serv't,

DAVID MANN.

To Hon. Alexander Mahon, Speaker of the Senate.

State of the **BANK OF CHAMBERSBURG**, on the 7th of November, 1826.

DR.

Bills and notes,		\$285,713 18
Judgments,	87,025 25	
Mortgages,	8,466 08	
	<hr/>	95,491 33
Drafts discounted,		13,741 73
Real property,		41,494 98
Stock in public companies,		7,000 00
Silver,	24,365 00	
Gold,	192 50	
Foreign notes,	7,221 00	
Change,	19 87	
	<hr/>	31,798 37
Due by banks,		6,078 80
Profit and loss,		13,530 65

---

494 851 04

CR.

Capital paid,		\$245,995 00
Bank notes,	202,485 00	
On hand,	52 215 00	
	<hr/>	130,270 00
In circulation,		12,568 53
Dividend unpaid,		16,207 04
Due to banks,		69,810 47
Deposits by individuals,		
	<hr/>	\$494,851 04

The above statement of the debts and credits of the Bank of Chambersburg, is correct, as taken from the books of said bank.

A. COLHOUN, Cashier.

Sworn and subscribed before

JOHN HERSHBERGER, J. P.

December 4, 1826.

*State of the EASTON BANK as it stood on the first Tuesday,  
being the 7th day of November, 1866.*

**DR.**

Six per cent stock of the United States	\$12,115 94	
Stock of the Easton Water Company,	250 00	
do Commercial Bank,	695 56	
do Farmer's and Mechanics Bank,	17,966 28	
do Bank of Pennsylvania,	25,929 49	
do do North America,	5,429 54	
do Schuylkill Bank,	4,178 01	
		<hr/>
Nominal value \$68,369 80. cost,	66,494 82	
Bonds and mortgages under the 9th section of the act regulating Banks,	59,320 98	
		<hr/>
Notes discounted,		125 815 76
Balances due from other Banks,		316, 46 47
Gold, United States,	1,897 50	102,991 87
do. foreign,	131 55	
Silver,	34,843 70	
		<hr/>
Notes of various Banks,		36,802 75
		15,022 95
		<hr/>
		596,679 79

**CR.**

Capital Stock,	181,140 00
Bank notes in circulation,	248,438 20
Dividends unpaid, including that declared this day,	12,355 36
Contingent fund,	20, 00 00
Profit and loss,	6, 84 93
Deposits,	127,289 13
Balances due to other Banks,	1,372 17
	<hr/>
	\$596,679 79

The Banking House and Lot, not included in the above statement, as the whole amount, has been paid out of surplus profits of the institution.

*Northampton County, ss.*

Before me the subscriber, one of the Justices of the Peace in and for the county of Northampton, came Thomas M'Keen, Esq. cashier of the Easton Bank, and made oath that the above and foregoing statement is correct and true to the best of his knowledge and belief.

Witness the hand of the said Thomas  
M'Keen aforesaid.

**THOMAS M'KEEN.**

Sworn and subscribed the date above  
said, before me.

**GEORGE IHRIE, J. P.**

**FARMERS BANK OF READING, November 7, 1826.****DR.**

Amount of stock paid in,	\$ 300,500 00
Notes in circulation,	116,872 00
Deposits,	70,810 34
	<hr/>
	\$ 488,032 34

**CR.**

Amount of bills discounted,	270,736 72
Bonds and notes,	32,645 84
Bank stock purchased previous of late charter,	83,254 00
Real estate,	20,511 58
Amount due from other banks,	34,221 70
Notes of other banks,	18,855 00
Specie,	21,717 50
	<hr/>
	\$ 488,032 34

I do solemnly, sincerely and truly declare and affirm, that the facts stated in the above exhibit of the affairs of the Farmers Bank of Reading, as they respectively stood on the 1st Tuesday of November, 1826, are true.

**BENNEVILLE KRIM, President.**

Affirmed this 30th Nov. 1826, before me,  
**PETER NAGLE.**

**State of the COLUMBIA BRIDGE COMPANY, November 7, 1826.****DR.**

To capital stock,		\$395,000 00
Notes of the former Bridge Company in circulation,	2,897 28	
Notes of the Columbia Bridge Company in circulation,	89,255 00	
	<hr/>	92,152 28
Dividends of the old Bridge Company unclaimed,	279 00	
Dividends of Columbia Bridge Company unclaimed, including the one declared this day,	9,547 50	
	<hr/>	9,826 50
Contingent fund reserved,	2,333 34	
Deduct repairs of bridge since chartered,	410 21	
	<hr/>	
Balance unexpended,		1,928 18
Amount due depositors,		22,645 48
		<hr/>
		\$522,547 34

**CR.**

By bridge cost,	231,922 97	
Bridge repairs previous to charter,	5,610 86	
	<hr/>	237,533 83
Banking house,	12,000 00	
Real property, taken in payment of debts previous to the charter,	5,439 81	
	<hr/>	17,439 81
Notes and bonds outstanding,	36,344 68	
Bills discounted,	82,179 63	
	<hr/>	118,574 81
Amount due from banks in Philadel- phia,	26,827 33	
Amount due from neighboring banks,	5,958 32	
	<hr/>	32,785 65
Notes of other banks,	8,830 60	
Specie,	28,134 32	
	<hr/>	36,964 92
Cash vested in the United States six per cent. stock,	65,176 61	
Cash vested in the stock of this bank,	14,072 21	
	<hr/>	79,248 82
		<hr/>
		3522,547 34

Dividend declared May 2, 1826, two dollars on each share of stock.

Dividend declared November 7, 1826, two dollars and fifty cents on each share of stock.

*Lancaster county, ss.*

Personally appeared before me, the subscriber, one of the justices of the peace, in and for the county aforesaid, residing in the borough of Columbia, John M'Kissick, cashier of the Columbia Bridge Company, who being affirmed according to law, doth say that the above statement is just and true.

JOHN M'KISSICK, *Cashier.*

Affirmed and subscribed,

the 10th November, 1826,

WILLIAM P. BEATTY.

*State of the* **BANK OF CHESTER COUNTY,**  
*November 7, 1826.*

**DR.**

Capital stock,	\$ 90,000 00
Notes in circulation,	179,995 00
Due other banks,	150 00
Contingent fund,	17,447 39
Dividends not demanded,	1,089 80
Dividends declared this day,	4,050 00
Deposits,	298,982 11

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**\$591,714 30**

**CR.**

Discounted notes,	\$332,730 76
Bank stock of other banks,	13,023 00
Bills of exchange,	\$1,913 34
Specie,	68,666 69
Mortgages,	13,018 00
Bonds and judgments by confession,	32,989 61
Judgments obtained on suits,	2,978 37
Chesapeake and Delaware canal stock,	5,000 00
Due from other banks,	75,089 53
Current notes,	8,042 00
Real estate,*	8,263 10

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**\$591,714 30**

\* The banking house and lot, valued at \$6000, and the personal property consisting of furniture, plates, moulds, paper, &c. &c. valued at \$650, have been paid for out of the profits of the institution.

A dividend of four and a half per cent. was declared on the first Tuesday in May last, amounting to \$4,050 00

A dividend of four and a half per cent. was declared on the first Tuesday in November, instant, amounting to 4,050 00

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**\$8,100 00**

**Chester county, ss**

Before me the subscriber, one of the justices of the peace, in and for said county, personally appeared Richard Thomas, jr. Esquire, president of the Bank of Chester county, and on his solemn affirmation did declare and say that the within abstract of the debts, credits, and property, of the Bank of Chester county, as they respectively stood on the first Tuesday in November, inst. is true to the best of his knowledge and belief.

**RICHARD THOMAS, Jr.**

Affirmed and subscribed this 28th day of  
November, A. D. 1826, before me,

**WM. EVERHART.**

*State of the KENSINGTON BANK, in the County of Philadelphia, Tuesday, 7th November, 1826.*

## DR.

Capital stock paid in,	\$ 62,135 00
Notes in circulation,	40,535 00
Debts due to city banks,	5,566 28
Profit and loss,	9 2 56
Deposits,	42,463 76

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\$ 151,652 60

## CR.

Bills discounted outstanding,	106,674 17
Specie,	11,255 63
Banking house and lot,	3,12 29
Expenses,	389 73
Due from banks in the city and liberties,	8,901 87
Notes of the banks in the city and liberties,	21,247 91
Notes of country banks,	71 00

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\$151,652 60

*Philadelphia county, ss.*

Personally appeared before me, the subscriber, one of the justices of the peace in and for the said county, Charles Keen, cashier of the Kensington Bank, in the county of Philadelphia, who being duly sworn according to law, did depose and say, that the above statement of the affairs of the said bank, as they stood on the first Tuesday in November, 1826, is just and true to the best of his knowledge and belief.

CHARLES KEEN, *Cashier.*

Sworn and subscribed before me,  
this 9th day of December, 1826.

TRACY TAYLOR.

*BANK OF GETTYSBURG, November 7, 1826.*

## DR.

To specie, silver and cents,	\$ 28,089 36
ditto. gold,	1,624 33
	<hr/>
	39,713 69
Foreign paper and checks on other banks,	10,164 09
Bills discounted,	127,157 57
Judgments, including interest and costs,	54,463 17
Mortgages,	2,014 57
Bonds and notes, under seal,	7, 76 69
Real estate,	39,964 12
Rents due,	945 21
Amount due from other banks,	2,785 66
Water stock,	500 00
Turnpike stock,	142 05
Expenses,	921 50

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\$286,038 22

## CR.

By capital,	\$ 128,198 00
Dividends unclaimed, including the one made this day,	4,794 86
Bank notes in circulation,	85,175 00
Amount due to banks,	21,883 08
Contingent fund,	5,197 04
Deposits,	42,489 24

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\$ 285,038 22

Dividend of three per cent., declared November 7, 1826,	3,845 94
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*Adams county, ss.*

Before me, one of the justices of the peace in and for said county, personally appeared, John B. M'Pherson, cashier of the bank of Gettysburg, who being duly sworn, doth depose and say, that the above is a correct statement of the affairs of the bank of Gettysburg, as it stood on the 7th day of November, 1826, to the best of his knowledge and belief.

J. B. M'PHERSON.

Sworn and subscribed, the 2d.

December, 1826, before me,  
SAMUEL F. KING.

*State of the FARMERS' BANK OF LANCASTER,*  
*November 6, 1826.*

## DR.

Stock,	\$ 500,000 00
Notes in circulation,	186,945 00
Dividends due,	12,370 19
Profits undivided,	516 65
Due to the commonwealth, for tax on dividend,	1,5 9 68
ditto, on account of loan,	24, 20 00
Banks,	1, 06 34
Deposits,	116,485 48
	<hr/>
	\$843,153 34

## CR.

Bills discounted and outstanding,	\$508,091 84
Banking house and other real property,	41,821 23
Farmers' Bank stock, 748 shares,	37,410 00
Bonds,	2,716 50
Columbia bridge stock, 51 shares,	3,511 25
Turnpike road stock, one share,	55 00
Loan to the commonwealth,	25,000 00
United States' stock,	31,000 00
Notes of other banks,	63,890 00
Specie,	55,437 41
Due from other banks,	72,178 11

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8843,153 34

Amount of dividends during the preceding year,  
ending with the first Monday of November,  
1826, at 4 per cent.

18,871 00

*City of Lancaster, ss.*

Personally appeared before me, the subscriber, one of the aldermen in and for the city of Lancaster, John Eberman, cashier of the Farmers' Bank of Lancaster, who on his solemn affirmation did declare and say, that the above is a true abstract of the debts and credits of the said bank, as the same stood on the sixth day of November, 1826.

JOHN EBERMAN, *Cashier.*

Affirmed and subscribed

before me, November 30th, 1826.

GEO. LOUIS MAYER.

*An abstract of the debts and credits of the FARMERS' BANK  
OF BUCKS COUNTY, November 7, 1826.*

## DR.

To capital stock,	\$ 60,090 00
Surplus,	2,360 00
Notes in circulation,	54,83 00
Dividends unpaid,	525 51
Tax due on dividends,	12 57
Due Banks in Philadelphia,	5 6 51
Due depositors,	21,266 73

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\$139,413 32



## CR.

By notes discounted,		\$ 84,178 48
Judgments,		3,978 14
Due from banks in Philadelphia,		10,872 97
Trenton banking company,		1,055 20
Specie,		6,183 11
Foreign notes at par,	4,803 14	
do. do. below par,	203 00	
	<hr/>	5,006 14
Real and personal estate,		29,144 68
Bank stock of this bank,		5,835 50
		<hr/>
		\$139,413 32

Amount of dividend declared November 7th,  
\$157 15; rate one-third of one per cent.

*Bucks county, ss.*

On the twenty-eighth day of November, 1826, before me, one of the justices of the peace in and for said county of Bucks, appeared William Newbold, cashier of the Farmers' Bank of Bucks county, who solemnly affirmed that the above is a true and correct statement of the debts and credits of said bank, to the best of his knowledge.

WM. NEW BOLD, *Cashier.*

Affirmed and subscribed before  
me, the day and year aforesaid,

SAMUEL ALLEN, jr.

*Statement of the LANCASTER BANK, November 6, 1826.*

## DR.

To capital stock,	\$134,235 60
Notes in circulation,	122,610 00
Dividends unclaimed,	4,337 12
Dividends declared this day,	2,565 75
Amount due to Banks,	4,400 00
Amount due to Depositors,	30,034 19
Profit and loss, surplus fund,	3,473 69
	<hr/>
	\$308,655 75

**CR.**

By bills discounted and outstanding,	\$170,234 08
Bonds and Mortgages,	10,435 00
Real estate,	23,319 04
Stock notes,	1,904 00
Bank stock	7,260 00
Amount due from banks,	2,780 84
Balance of cash on hand, specie	24,543 84
Notes of other banks,	63,383 00
	<hr/>
	\$305,655 75

Rate and amount of dividends declared,

May 1st. 1826, 2 per cent. on \$128,827 50 is \$2,576 75

Nov. 1st. 1826, 2 per cent. on 128,237 50 is 2,565 75

*City of Lancaster, ss.*

James Evans, Cashier of the Lancaster Bank, being duly sworn, says that the above account current, exhibits a statement of the affairs of the said Lancaster Bank, as they stood on the first Monday in November, 1826.

**JAMES EVANS, Cash'r.**

Sworn and subscribed before

me, 7th December, 1826.

**D. MOORE, Alderman.**

*A Statement of the affairs of the BANK OF MONTGOMERY COUNTY, as the same stood on the 7th day of November, Anno Domini, 1826, being the first Tuesday.*

**DR. To Stockholders,**

Capital stock,	\$133,200 00
Dividends unpaid,	595 50
Dividends declared this day,	3,996 00
Contingent fund,	16,289 08
	<hr/>

154,080 58

159,079 50

Holder of notes in circulation,  
Commonwealth of Pennsylvania  
eight per cent. on dividends de-  
clared in May, and Nov. 1826.

601 64

Debts due to other Banks,

402 00

Depositors,

114,981 36

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\$429,145 08

CR.

By bills and notes discounted,	\$122,223 00	
Mortgages,	55,223 91	
Judgements,	51,646 50	
Bills of Exchange,	19,650 00	
Loan to the Commonwealth of Pennsylvania,	30,000 00	
Bonds,	1,000 00	
Notes on demand,	600 00	
	<hr/>	\$265,743 41
Amount due from other banks	41,697 39	
Notes of other banks,	3,988 50	
Checks,	1,050 00	
Notes of New Hope Delaware Bridge Company,	110 00	
Gold,	71 66	
Silver and cents,	7,968 84	
	<hr/>	119,886 39
United States Stock,		26,578 15
Real estate, banking house,	4,637 50	
Purchased at sheriff sale for debts due the bank,	12,310 45	
	<hr/>	16,847 95
Protests, &c.	82 21	
Amount over drawn,	6 97	
	<hr/>	89 18
		<hr/>
		\$429,146 08

## Rate and amount of dividends.

May 2d, 3 per cent. on \$117,480 Capital stock	\$3,524 40
Nov. 7th. do do. do. 133,200 do. do.	3,996 00

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\$7,520 40

*Montgomery County, ss.*

David Wolmer, Cashier of the bank of Montgomery county, being duly sworn according to law, says that the above account current, exhibits a statement of the affairs of the said bank as the same stood on the first Tuesday of November 1826.

D. WOLMER, *Cashier.*

Sworn and subscribed before me,  
the 25th day of Nov. 1826.

FREDERICK CONRAD, *Justice of the Peace.*

*State of the BANK OF THE NORTHERN LIBERTIES,  
November 6, 1826.*

**DR.**

Bills, notes and bonds,	\$707,560 13
Loan to the city of Philadelphia,	20,000 00
Banking house and lot,	10,000 00
Specie, gold, silver and cents,	95,022 41
Notes of and balances due from other banks,	138,060 77
	<hr/>
	\$970,649 31

**CR.**

Capital stock,	\$200,000 00
Dividend declared this day,	8,000 00
Dividends unclaimed,	1,312 50
Notes in circulation,	\$21,686 00
Deposited by individuals,	\$25,554 19
Balances due to other banks,	73,978 94
State tax on dividends, No's. 21 & 22,	1,080 00
Profit and loss,	\$9,457 68
	<hr/>
	\$970,649 31

*Philadelphia county, ss.*

On the eighteenth day of December, 1826, before me, one of the justices of the peace in and for the county of Philadelphia, appeared Robert L. Pitfield, cashier of the Bank of the Northern Liberties, who solemnly affirmed that the above is a true and correct statement of the debits and credits of said bank, to the best of his knowledge and belief.

**R. L. PITFIELD. Cash'r.**

Affirmed and subscribed, before me,  
the day and year aforesaid.

**JOHN GOODMAN.**

*CARLISLE BANK, November 7, 1826.*

**DR.**

Notes and bills discounted,	\$262,951 46
Carlisle bank stock,	4,175 00
Real estate,	20,806 54
Specie, viz. gold,	\$ 2,833 18
" Mixed,	1,158 85
" Silver,	21,160 88
	<hr/>
	25,152 91
Notes of other banks	6,702 62
Due by other banks,	41,445 77
	<hr/>
	\$361,234 80

## CR.

Capital,	\$164,654 00
Discounts,	7,917 70
Contingent fund,	1,850 44
Notes in circulation,	120,062 00
Due to other banks,	7,607 54
Individual deposits,	59,451 62
	<hr/>
	\$361,234 30

Rate and amount of dividends,

May 2, 1826, at three per cent.

\$4,937 22

November 7, 1826, three and a half per cent.

5,762 89

I, Andrew M'Dowell, cashier of the Carlisle Bank, do certify that the foregoing statement is a true abstract of the debts and credits of said bank, as the same respectively stood on the first Tuesday of November, A. D. 1826; and of the rate and amount of dividend during the preceding year, including the first Monday of November, 1826.

A. M'DOWELL.

December 6, 1826.

The above named Andrew M'Dowell, cashier of the Carlisle Bank, being duly sworn, doth say the facts set forth in the above certificate are true

Sworn and subscribed, December 6,

A. D. 1826, before me.

JOHN D. HAVERSTICK.

*Amount of debts and credits of the MECHANICS BANK of the City and County of Philadelphia, November 7th, 1826.*

## DR.

Amount of capital stock,	\$550,320 00
• do. Surplus fund,	121,815 86
do. Dividends unclaimed,	3,262 08
do. Duty account,	1,243 61
do. Country banks deposits,	196,758 07
do. Due to city banks	25,135 83
do. Notes in circulation	293,444 50
do. Deposits	344,023 91
	<hr/>
	\$1,516,053 86

## CR.

Amount bills discounted and stock notes,	\$1,004,089 79
do. Chesapeake and Delaware Canal stock,	1,000 00
do. Mechanics bank,	100,319 76
do. Of expenses	6,001 61
do. Of real estate,	4,314 92
do. Of suspense account,	9,254 92
do. Of specie account,	193,196 44
do. Of foreign notes,	87,708 08
do. Due from country banks,	21,593 90
do. do. city do.	43,574 44

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\$1,516,053 86

Amount of dividends, May 1826, at 4 per cent.	\$16,045 20
do. do. November do. 4 do.	16,003 20

I do hereby certify that the board of directors of this bank have declared the following dividends of the profits of the institution, viz.—One on the first Tuesday in May last, of 4 per cent. amounts to \$16,045 20, and on the first Tuesday in November of 4 per cent. amounts to \$16,003 20, and that no other dividend has been made since the last return to the state treasurer.

L. LAMB, *President.*

Sworn and subscribed before  
me, December 15th, 1826.

G. BARTRAM, *Alderman.*

### THE FARMERS' AND MECHANICS' BANK.

## DR.

Capital stock,	\$1,250,000 00
Notes in circulation,	353,075 00
Due to banks in the city and Liberties,	72,633 00
Due to other banks,	156,706 00
Due to the commonwealth of Pennsylvania,	9,708 00
Dividends unpaid,	42 998 00
Discounts made,	952 00
Contingent fund,	89,609 00
Deposits,	79,395 00

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\$2,783,106 00

## CR.

Bills and notes,		\$1,627,326 00
Bonds, mortgages, and judgments,		41,219 00
Stock of this bank,		20,448 00
Stock of the state bank at Camden,		2,700 00
Stock of the Pennsylvania canal loan with premium,		51,812 00
Stock of turnpike roads, bridges and canals,		112,810 00
Balance of bonus for renewal of charter,		52,500 00
Real estate,		133,672 00
Due from banks in the city and liberties,	\$ 23,560	
Notes of do. do. do.	81,775	
	<hr/>	105,335 00
Due from other banks,	170,715	
Notes of do.	29,112	
	<hr/>	199,827 00
Gold on hand,	822	
Silver do. and at the mint,	284,235	
	<hr/>	285,057 00
		<hr/>
		\$2,783,106 00

Henry Kuhl, cashier of the Farmers' and Mechanics' Bank, being sworn, says that the above account current exhibits a state of the affairs of the said Farmers' and Mechanics' Bank, as they stood on the first Tuesday in November, 1826.

HENRY KUHL.

Sworn and subscribed Dec. 9, 1826,  
before me,  
JAMES N. BARKER.

*A Statement of the debts and credits in the WESTMORELAND BANK of Pennsylvania, on the first Tuesday in November, 1826.*

## DR.

Bills discounted,	\$ 182,593 00
Real estate,	14,850 00
Specie,	8,181 87
Notes of other banks,	11,748 00
Due by other banks,	5,068 00
Expenses,	500 00
	<hr/>
	\$222,935 87

**CR.**

Stock paid in	\$112,483 00
Notes in circulation,	81,750 00
Discounts received,	2,062 99
Dividends unclaimed,	297 00
Profit and loss	2,936 00
Money of depositors,	23,376 88
	<hr/>
	\$222,935 87

On the first Tuesday in May, 1826, a dividend of three per cent for the last half year was declared amounting to

3,374 49

On the first Tuesday in Nov. 1826, do. do.

3,374 49

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6,748 98

Before me the subscriber one of the justices of the peace for the county of Westmoreland, came Paul Morrow, Cashier of the above named bank, and on oath saith, that the above is a correct statement of the debts and credits thereof, as they appeared on the books on the first Tuesday, in November last.

**PAUL MORROW, Cashier.**

Sworn to before me, the  
ninth day of December 1826.

**HENRY G. SPAYTH.**

**State of the BANK OF PITTSBURG, Tuesday Nov. 7, 1826.**

**DR.**

Bills discounted,	\$598,449 25
Bills of exchange,	57,105 96
Real estate,	10,882 04
Judgments,	7,965 43
Due by sundry banks,	39,783 74
Notes of other banks,	43,427 64
Silver,	20,514 82
Gold,	1,493 80
	<hr/>
	\$779,622 68

**CR.**

Stock paid in,	\$45,270 50
Pittsburg notes in circulation,	188,927 00
Contingent fund,	43,284 63
Tax to state of Pennsylvania,	1,041 69
Unclaimed dividends,	4,290 40
Due to sundry banks,	1,969 74
Deposits,	484,678 12
Dividend declared this day,	10,210 60
	<hr/>
	\$779,622 68



On the first Tuesday in May, 1826, declared a dividend of three per cent. for the half year, ending on that day, amounting to

\$10,260 60

On this day declared a dividend of three per cent. for the last half year,

10 260 60

Total amount of dividend,

\$20,521 20

*City of Pittsburg, ss.*

Before me, one of the aldermen of said city, personally appeared Alexander Johnston, jr. cashier of the Bank of Pittsburg, who upon his solemn oath doth depose and say that the above exhibits a true statement of the affairs of the Bank of Pittsburg, on Tuesday the 7th of November, 1826.

ALEX. JOHNSTON, Jr.

Sworn and subscribed this 6th day of  
December, A. D. 1826.

D. S. SCULLY.

*State of the COMMERCIAL BANK OF PENNSYLVANIA,  
Monday, November 6, 1826.*

DR.

To capital stock,	\$1,000,000 00
Notes in circulation,	138,798 00
Contingent fund,	31,424 84
Discounts for the last year,	67,397 51
Amounts due to other banks,	8,297 53
Deposits,	284,344 33

\$1,530,762 21

CR.

By bills discounted,	\$1,051,487 28
Commercial bank stock,	200,000 00
Real estate,	37,309 98
Chesapeake and Delaware canal stock,	10,000 00
Specie,	124,623 75
Expenses for the last six months,	6,016 81
Amount due from other banks,	55,50 45
Amount of debts carried to profit and loss,	45,573 94

\$1,530,762 21

No dividend made for the half year preceding the first Tuesday in May last.

Dividend made on the first Tuesday in November last, for the preceding six months, 2½ per cent.

\$20,000 00

BENJ. P. SMITH, Cashier.

Benjamin P. Smith, cashier of the Commercial Bank of Pennsylvania, being duly affirmed according to law, doth depose and say that the account as above stated is correct and true.

BENJ. P. SMITH, Cashier.

Affirmed and subscribed, before me,  
December 26, 1826.

JOHN BINNS, Alderman.

*Amount of dividend made to the stockholders of the MONONGAHELA BANK OF BROWNSVILLE, subsequent to the 1st day of January, 1826.*

May 2, 1826, capital paid \$102,123 00, on which was declared two and a half per cent.	\$2,553 07	
Tax to the state of Pennsylvania, viz. eight per cent. on the dividend,		\$204 24
Nov. 7, 1826, capital paid, \$102,123 00, on which was declared three per cent.	3,063 69	
Tax to the state of Pennsylvania, viz. eight per cent. on the dividend,		245 09
	<hr/> \$5,616 76	<hr/> 449 33

**MONONGAHELA BANK OF BROWNSVILLE, November 7, 1826.**

<b>DR.</b>		
To capital stock,		\$102,123 00
Discounts,		218 48
Surplus fund,		3,196 60
Bank of Pittsburg,		6,359 83
Bank notes in circulation,		81,975 00
Deposits,		39,873 90
		<hr/> \$233,746 81
<b>CR.</b>		
By real property purchased for debts.		10,626 90
Real do.		5,284 51
Personal do.		150 00
Bills and notes outstanding, including judgment and mortgages,		189,418 96
Monongahela Bank of Brownsville stock,		2,250 00
Western Banks,	309 73	
Eastern do.	1,809 64	
	<hr/> 2,119 39	
Western Bank paper,	2,520 00	
Eastern do.	4,865 00	
	<hr/> 7,385 00	
Specie,		15,460 58
Beaver Bank notes and certificates,		1,051 47
		<hr/> \$233,746 81

I do swear that the above statements are true.

JOHN T. M'KENNON, *Cashier.*

Sworn and subscribed the twenty-fifth day of November, 1826,  
before me, one of the justices of the peace, in and for the county of  
Fayette, and state of Pennsylvania.

NATH'L ITLER.

*A statement of the affairs of the BANK OF GERMANTOWN,  
as they stood on the first Tuesday of November, 1826.*

## DR.

To stockholders for capital paid in,	129,500 00	
dividends unpaid,	583 50	
ditto, now declared,	4,532 50	
contingent fund,	18,223 06	
	<hr/>	152,839 06
Notes in circulation,		64,257 00
To state of Pennsylvania,		777 00
Depositors,		81,534 20
		<hr/>
		\$299,387 26

## CR.

Bank is in possession of the following property, viz.

Real estate,	\$ 6,988 22
Specie,	22,124 81
Notes and bills of other banks and checks,	636 65
Due from other banks,	11,249 35
Stock in Flat Rock Bridge,	60 00
Chesapeake and Delaware canal,	1000 00
	<hr/>
	1,060 00
Loan to Schuylkill navigation,	3,000 00
Mortgages,	1,000 00
Judgments,	2,013 06
Bills and notes discounted,	248,863 28
Merchandise received for debts,	1,929 89
Value of banking materials to be reduced at each dividend,	482 00
	<hr/>
	\$299,387 26

Dividend, 1st Tuesday of May, on \$129,500, at	
4 per cent.	5,180 00
do. 1st Nov'r. 129,500, at	
3½ per cent.	4,532 50

JOHN F. WATSON, *Cashier*

*Philadelphia county, ss.*

Before me the subscriber, one of the justices of the peace for the said county, personally appeared Samuel Harvey, president of the Bank of Germantown, who being duly affirmed according to law, did declare and say, that the within statement of the affairs of the Bank of Germantown, is truly made, according as the same stood on the first Tuesday of November, instant.

SAMUEL HARVEY, *President.*

Affirmed to before me, this  
27th day of November, 1826.

JACOB SOMMER.

**State of the SOUTHWARK BANK. in the county of Philadelphia, November 7, 1826.**

**DR.**

To bills and notes discounted,	\$525,716 70
Specie. gold and silver,	74,314 65
City bank notes,	15,581 54
Foreign bank notes,	7,165 10
Due from city banks,	3,930 63
Due from foreign banks,	3 0 08

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\$627,818 70

**CR.**

By capital stock paid in,	\$249,070 00
Notes in circulation,	156,017 86
Dividends unpaid, including this day,	9,155 00
Due to city banks,	14,283 36
Due to foreign banks,	9,105 88
Profit and loss. contingent fund,	2,732 62
Due to depositors,	187,454 03

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\$627,818 70

Dividend, May, 1826, 3 per cent,	7,500 00
do. November, 1826, 5½ per cent.	8,750 00

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16,250 00

**Southwark Bank, Philadelphia,**

**Errors excepted—Nov. 25, 1826.**

**J. S. SMITH, Jun. Cashier.**

**Philadelphia county, ss.**

Personally appeared J. S. Smith, jun. cashier of the Southwark Bank, in the county of Philadelphia, who on his solemn affirmation, doth declare and say, that the foregoing is a just and true statement of the accounts of the said bank, on the 7th day of November, instant, and further saith not.

Affirmed and subscribed as above, before me,

**J. WARNER, J. P.**

**State of the YORK BANK, Tuesday, November 7th, 1826.**

**DR.**

Banking house,	\$5,000 00
Bills and notes, discounted	256,91 78
Silver and gold	99,194 19
United States 4½ per cent. stock;	50,000 00
Foreign paper,	18,546 00
Due from banks,	38,097 62
Water stock	300 00

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\$448,054 59

## CR.

Capital,	\$168,720 00
Surplus profit,	5,450 00
Due to banks,	1,192 55
Individuals deposits, including dividends,	175,987 04
Our notes in circulation,	97,805 00
	<hr/>
	448,654 59

Dividends declared May 2d 3½ per cent.	5,905 20
Do. do, November 7th 3½ do.	5,905 20

*York County, ss.*

Personally came before me the subscriber, one of the justices of the peace in and for said county, John Schimdt, Cashier of the York bank, who on his solemn oath declares that the above is a correct statement of the affairs of the said bank, as the same stood on the first Tuesday of November, in the year of our Lord one thousand eight hundred and twenty-six.

J. SCHIMDT.

Sworn and subscribed the 15th  
day of November, 1826, before me  
IGNATIUS LEITNER.

**PHILADELPHIA BANK, November 6, 1826.**

## DR.

To Amount of capital stock,	\$1,800,000
do. sinking fund profit and loss and dis- counts,	175,786
do. of unclaimed dividend,	9,776
do. due the commonwealth of Pennsylvania,	28,518
do. due to other Banks,	121,036
do. notes in circulation,	322,354
do. deposits,	462,279
	<hr/>
	\$2,979,749

## CR.

By amount of bills discounted,	\$ 1,791,847
do. of debts outstanding at Washington and Wilkesbarre,	217,203
do. of subscription to the Chesapeake and Delaware Canal,	100,000
do. of Pennsylvania five per cent and Union Canal,	71,813
do. of stock of this Bank and turnpikes,	234,024
do. due from other Banks,	84,000
do. of notes of other Banks,	217,800
do. of specie on hand,	186,811
	<hr/> 492,11
Banking house and lot,	50,000
Real estate,	14,066
Expenses,	8,185
	<hr/> \$2,979,149

Errors excepted.

QUINTIN CAMPBELL, *Cashier.**City of Philadelphia, ss.*

Personally appeared before me, the subscriber, an alderman of the said city, Quintin Campbell, above named, and being duly sworn, according to law, did depose and say that the foregoing statement is accurate and true as stated, to the best of his knowledge and belief.

Q. CAMPBELL, *Cashier.*

Sworn and subscribed, December 19, 1826, before me,

JAMES N. BARKER.

*The BANK OF DELAWARE COUNTY, state of the Bank,*  
*November 7, 1826.*

## DR.

To capital stock paid in,	\$ 77,510 00
Delaware county bank notes on hand,	65,546 00
do. do. in circulation,	59,675 00
Balance of surplus fund,	7,121 58
Dividends unpaid,	2,690 40
Discount and interest received,	4,464 97
Money of depositors,	96,115 18
	<hr/>
	\$ 313,123 13

## CR.

By bills and notes on loan and stock,	\$ 167,844 74
Expenses,	600 95
House and lot in Chester,	10,354 35
Due from Philadelphia banks,	11,254 95
Amount of cash in bank, viz. specie,	55,802 15
Notes of Philadelphia banks,	1,720 00
Notes of Delaware County Bank,	65,546 00
	<hr/> 123,058 15
	<hr/> \$313,1 3 15

Rate and amount of dividends declared in the present year, viz.  
May 2, 1826, four per cent. on 77,510 capital stock

paid in,	\$,100 40
November 7, 1826, four per cent on 77,510 do.	3,100 40
	<hr/> \$6,200 80

Personally appeared before the subscriber, one of the justices of the peace, in and for Delaware county. Preston, Eyre, Esq. : cashier of the Dank of Delaware county, who being duly affirmed, according to law, says that the above statement is just and correct.

PRESTON EYRE, *Cashier*

Affirmed and subscribed at Chester,

the 22d day of Dec. A. D. 1826, before me,

GEO. W. BARTHAM.

*An abstract of the debts and credits of the NORTHAMPTON  
BANK, Tuesday, November 7th, 1826.*

## DR.

Capital stock,	\$ 123,000 00
Bank notes in circulation,	111,762 00
Bank dividends unpaid including dividend, No. 24, declared this day,	3,836 70
Amount due depositors,	44,323 97
Tax due the state of Pennsylvania 8 per cent. on dividend declared in the preceding year,	453 28
Contingent fund	3,500 00
Profit and loss	68 35
	<hr/> 3,568 35
	<hr/> \$288,944 30

**CR.**

Amount due on the capital stock,	\$12,500 00	
do. of capital stock held by the bank,	18,405 00	
	<hr/>	\$30,905 00
Real estate, banking house and lot included,		33,119 81
Bills discounted outstanding, and notes discounted under the 8th section of the act to re-charter certain banks,		110,041 98
Amount due by other banks and incorporated institutions,	75,641 40	
Notes of other banks, and deposits,	8,335 30	
Specie, silver and gold,	30,742 26	
Copper coin,	82 67	
	<hr/>	30,824 93
		114,801 66
Costs paid on notes in suit,		75 88
		<hr/>
		\$288,944 30

N. B. The Northampton bank holds no bonds, judgments or mortgages, except as additional security for notes discounted.

Dividend declared on the first Tuesday of May, 1826, at the rate of 6 per cent. per annum, on \$94,770, \$2,843 10

Dividend declared on the first Tuesday of November, 1826, at the rate of 6 per cent. on \$94,095 2,822 85

*Lehigh county, ss.*

On the 30th day of November, A. D. 1826, before me the subscriber, one of the justices of the peace in and for the county of Lehigh, personally appeared John Rice, cashier of the Northampton Bank, and on his solemn affirmation did declare and say, that the above and foregoing is a true and correct statement of the affairs of said bank, as the same stood on the books thereof, on the first Tuesday of November, A. D. 1826.

JOHN RICE, *Cashier.*

Affirmed before me,  
the day and year above written.

NICHOLAS SAEGER.



**HARRISBURG BANK, Tuesday, November 7, 1826.****DR.**

To capital paid in,	\$ 158,525 00
Notes in circulation,	316,427 41
Due to banks,	8,042 31
Deposits,	206,628 04
Dividends unpaid, including the one declared this day,	7,633 96
Surplus,	455 30
	<hr/>
	\$ 697,712 02

**CR.**

By bills discounted,	336,060 58
Bonds,	17,882 02
Loan to the commonwealth,	40,000 00
Harrisburg bridge stock,	360 00
Due by banks,	189,143 39
Specie and notes of other banks,	68,766 36
Real estate and permanent expenses,	45,499 67
	<hr/>
	697,712 02

Dividends declared the preceding year, viz.

On the 2d May, 4 per cent.	6,541 00	
7th Nov'r, 4 per cent.	6,541 00	
	<hr/>	12,682 00

*Dauphin county, ss.*

Personally appeared before me, the subscriber, one of the justices of the peace, of Dauphin county, John Forster, cashier of the Harrisburg Bank, who being duly sworn, according to law, doth depose and say, that the above statement is correct, according to the best of his knowledge and belief.

**JOHN FORSTER, Cashier.**

Sworn and subscribed, before me,  
the 28th of December, 1826.

**WILLIAM GRAYDON.**

Laid on the table.

On motion of Mr. Mann and Mr. Garber,

Ordered, That the usual number of copies of the bank reports be printed for the use of the Senate.

The Secretary of the Commonwealth being introduced, presented two messages accompanied with documents, from the governor which were read as follows:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to the Senate, a copy of a letter from the president of the board of canal commissioners, with a copy of a report made by said board, in pursuance of the eighth section of the act of April 1<sup>th</sup>, 1825, entitled, "An act to appoint a board of canal commissioners," accompanied by a copy of four resolutions of said board, (marked A. B. C. D.) determining the location of the eastern and western divisions of the Pennsylvania canal, with the dimensions of said canal, and of the locks in the same, approved of agreeably to the act of last session, authorising the construction of the Pennsylvania canal; together with copies of the documents furnished with the report of the board, enumerated in the list hereto annexed, and numbered from one to thirty inclusive. I also inform the Senate, that I have transmitted to the House of Representatives, for the use of both branches of the legislature three plans or drafts, which also accompanied said report. Which reports and documents from the board of commissioners, I am directed by the act of 11th April, 1825, to present to the legislature.

J. ANDW. SHULZE.

*Harrisburg, January 1, 1827.*

*List of documents annexed to the report of the canal commissioners of Pennsylvania, December, 1826.*

- No. 1. Report of William Strickland, engineer, containing his plan and location of the eastern division of the Pennsylvania canal, dated the 29th of April, 1826, laid before the board May 17th.
- No. 2. Estimate of the cost of constructing the eastern division of the Pennsylvania canal, laid before the board May 17th, 1826, by William Strickland, engineer.
- No. 3. Report of Nathan S. Roberts, engineer, upon the location of the eastern division as proposed by Mr. Strickland, dated June 19th, 1826.
- No. 4. Mr. Strickland's estimate of the expense of increasing the dimensions of the eastern division, for the accommodation of the Borough of Harrisburg, June 19th, 1826.
- No. 5. Report of William Strickland, engineer, upon the progress and present state of the work on the eastern division of the Pennsylvania canal, dated December 9, 1826.

- No. 6. Estimate of the probable expense of completing the eastern division of the Pennsylvania canal, by William Strickland, engineer, December 11th, 1826.
- No. 7. Copy of a letter from Canvass White, engineer, containing his views as to the best mode of crossing the Susquehanna, at the mouth of Juniata; and as to the present location of the upper level of the eastern division, October 18, 1826.
- No. 8. Report of Charles Mowry, Esquire, acting commissioner, of contracts made on the eastern division of the Pennsylvania canal, dated July 25th, 1826.
- No. 9. Further report of Charles Mowry, Esquire, acting commissioner, of contracts made by him for work on the eastern division of the Pennsylvania canal, dated September 6, 1826.
- No. 10. General report of Charles Mowry, Esquire, acting commissioner, upon the progress and situation of the eastern division of the Pennsylvania canal, dated December 2, 1826.
- No. 11. Statement of contracts on the eastern division of the Pennsylvania canal, deposited in the state treasurer's office, November 29, 1826, by Charles Mowry, Esq. acting commissioner, referred to in Mr. Mowry's report, (No. 10,) as document A.
- No. 12. Tabular statement of the progress of the work on the eastern division, shewing the amount of work of all kinds done, and of payments on account; and also the number of hands actually employed, by Charles Mowry, acting commissioner, referred to in Mr. Mowry's report, (No. 10,) as statement B.
- No. 13. Copy of correspondence between the commissioners for improving the navigation of the river Susquehanna, and Charles Mowry, Esquire, acting canal commissioner, referred to in Mr. Mowry's report (No. 10) as document I.
- No. 14. Exhibit of the state of the acting commissioners office for the eastern division of the Pennsylvania canal, on the 2d day of December, 1826, referred to in Mr. Mowry's report (No. 10) as document L.
- No. 15. Copy of a letter from Nathan S. Roberts, engineer, to the secretary of the board, containing a report of his proceedings on the western division, up to 26th April, 1826.
- No. 16. Copy of a letter from Nathan S. Roberts, engineer, to the secretary of the board, dated April 30, 1826, containing a report and estimate of the first 17 miles, up the Allegheny river, on the eastern side.
- No. 17. Copy of the report of Nathan S. Roberts, engineer, upon the survey and location of the western division of the Pennsylvania canal, with estimates of the expense of constructing the same, on the eastern and western sides of the Allegheny river, respectively, dated May 18th, 1826.

No. 18. Estimate of the expense of that portion of the western division below Pine creek, by crossing the Allegheny from the west to the east side, and thence on the east side, to terminate in the Allegheny, at the lower end of Washington street, in the city of Pittsburg, by N. S. Roberts, engineer, May 31st, 1826.

No. 19. Joint report of Major Douglass and Mr. Strickland, on the location of the western division of the Pennsylvania canal, as proposed by Mr. Roberts, dated August 9th, 1826.

No. 20. Separate report of Nathan S. Roberts, on the location of the western division, under the resolution of 9th August, dated August 9, 1826.

No. 21. Estimate of the sums necessary to complete that part of the western division now under contract, by N. S. Roberts, engineer, November 30, 1826.

No. 22. Estimate of the expense of completing the canal from Pine creek to Pittsburg, on each side of the Allegheny river, by N. S. Roberts, engineer, with remarks upon their comparative advantages, September 6, 1826.

No. 23. Copy of a letter from N. S. Roberts, containing statement and plan of bridges for the western division, dated December 12, 1826.

No. 24. Statement of the expenses of engineer's department, on the western division, by N. S. Roberts.

No. 25. Report of general Abner Lacock, acting commissioner, upon the progress and situation of the western division of the Pennsylvania canal, December 9, 1826.

No. 26. Copy of contract and specification for the aqueduct over the Allegheny river, near the mouth of Kiskeminetas, referred to in the report of general Lacock, (No. 25.)

No. 27. Report of general Lacock, acting commissioner, of his proceedings under a resolution of the board, instructing him to ascertain to what extent releases could be procured upon the several routes through the city of Pittsburg.

No. 28. Copy of a letter from W. M. Candless, chairman of the committee of the citizens of Pittsburg, referred to in the report of Gen. Lacock, (No. 27.)

No. 29. Statement by N. S. Roberts, engineer and James D. Harris, assistant, as to the location and designation of canal routes on the east side of the Allegheny river, and through the city of Pittsburg.

No. 30. Report of Abner Lacock, Esq. acting commissioner, of contracts made by him on the western division, Sept. 14, 1826.

*Office of the Canal Commissioners,*

*December 23d, 1826.*

**SIR,**

Herewith, I have the honor to forward to your excellency, a report of the canal commissioners of Pennsylvania, made in obedience to the eighth section of the act of 11th April, 1825.

With great respect,

Your most obedient servant.

WM. DARLINGTON, President  
of the board of canal commissioners of Penna.

*To his Excellency,*

*John Andw. Shulze,*

*Governor of Pennsylvania.*

The canal commissioners of Pennsylvania, in obedience to the act of 11th April, 1825, respectfully submit the following

### REPORT:

The duties of the board are naturally arranged under two distinct heads, namely—the survey and examination of canal routes, as prescribed by the act of 11th April, 1825; and the location and construction of canals, under the act of the last session of the legislature, for the commencement of “The Pennsylvania canal.”

It will be remembered, that the operations of the board, under the first named law, during the season of 1825, were intended only to determine the practicability of water communication between the Susquehanna and Ohio. The result of these inquiries was communicated to the legislature but from causes then stated, and beyond the controul of the commissioners, they were necessarily imperfect. To supply such deficiencies, and, as far as possible, to examine the other route pointed out by law, have been the objects of the board, in its surveys of the last season. These surveys are as follow:—

1st. A survey of the Northern route, by the Susquehanna, west branch, Sinnemahoning, Clarion river and Allegheny, from the mouth of the Juniata to the mouth of the Kiskeminetas, under the direction of Judge Seddes, assisted by William Wilson, Esq.

2d. A survey of the Allegheny river, from the mouth of the Kiskeminetas to that of French creek, with a view to a connection with Lake Erie, by the same gentlemen.

3d. A survey of the Juniata route, from the mouth of the Juniata to that of the Kiskeminetas, by Canvass White, Esq. assisted by Mr. Olmstead.

4th. A survey of the north branch of the Susquehanna, from Northumberland to the New York line, by Mr. Bennet, of Luzerne county, under the immediate superintendence of Judge Scott, a member of the board.

5th. A survey of routes, through Cumberland and Franklin counties, to the Potomac river, and by the Conococheague or Menoca-

to that of Mr. Strickland, is annexed hereto, by way of illustration.

To that portion of Mr. Mowry's report, which relates to the assessment of damages, the board will invite especial attention. Some change in the existing law is indispensable, to guard the interests of the commonwealth. Upon the compromises reported by him, they would remark, that his agreements with Hise and Lowman, for a lot of ground, and with George Parson, for a barn destroyed, have been finally confirmed, and the others postponed for further consideration.

In connexion with this subject, a brief account may properly be given of the negotiations attempted by the board, under the directions of the legislature, with the Harrisburg Canal, Fire Insurance, and Water company. By act of 25th February last, the canal commissioners were authorised, "to agree with the company for taking water from the canal, for supplying the borough of Harrisburg with water, and for propelling machinery," if it could be done without disadvantage to the commonwealth; and by act of April 5th, the period for making such agreement, was limited to the first of June following.

The board entered upon this duty in a spirit of accommodation, and with a sincere hope that all difficulties might be adjusted, without committing the interests of the state, or materially impairing those of the Harrisburg company.

Notice was accordingly given to the president of that company, that the board would assemble in Harrisburg, on the 17th May, with a view to this object. The board having organized, its first act was to propose a conference with the managers of the company. The proposal was accepted, and a negotiation continued, partly in writing and partly by conference, until the evening of the 19th, when a letter was received from the president of the company, explicitly declining any further communication. During this interval, the board made every advance, that could possibly be reconciled with their sense of duty, and having done all in their power, without success, considered themselves relieved from any responsibility. They resolved, nevertheless, that the borough of Harrisburg should be accommodated, as far as practicable, without injury to the public. When, therefore, the route of the canal was finally located, and its dimensions fixed, an increased size was given to the upper portion, in order that surplus water might be afforded for the use of the borough, and for propelling machinery, at some future time. It was believed that the sale of water rights, upon moderate terms, would more than repay the additional expense, while it would promote the prosperity of the town, and add materially to the comfort of its inhabitants. The views of the board, on this head, have undergone no change; and they look with confidence to the legislature for a confirmation of the plan, by giving them power to dispose of water rights, and to purchase, on behalf of the state, such small portions of land, adjoining the canal, as may be necessary for that purpose.

On the 5th of April last, the board succeeded in obtaining the services of Nathan S. Roberts, Esq. an experienced engineer from the New York canal. He was instructed to proceed forthwith to Pittsburg, and to locate the line of a canal from thence to the Kiskeminetas. Mr. Roberts began his operations on the Monongahela, at the foot of Liberty street, in the city, and continued them with much activity, a distance of seventeen miles, up the east side of the Allegheny river. He then communicated to the board the result of his examinations, expressing an opinion that a canal, on the east side, would prove very expensive; and asking to be informed whether his instructions would justify an examination on the opposite bank. In reply, he was directed, to examine both sides with the utmost care, and to furnish such an estimate of each as would enable the board to decide between them. This was accordingly done; and from Mr. Roberts' report, it appeared that a canal, on the east side, would cost the sum of \$661,851 42—that it must be in danger of destruction from floods, and hill slips, and was in some places almost impracticable. From the same report it appeared, that the expense of a canal, on the west side, from the mouth of the Kiskeminetas, to end in the Allegheny river, opposite Pittsburg, would be \$296,122—that the ground was, for the most part, favorable, and free from the obstacles so formidably presented on the eastern side.

This report was laid before the board, at their meeting in Harrisburg, in the month of June: The contrast it presented between the two sides of the river, could have left no doubt which to select, but for a remonstrance against a location on the western side, by two gentlemen, who appeared as representatives of the citizens of Pittsburg. They contended, before the board, that by the terms of the law, the canal must commence within the chartered limits of the city of Pittsburg—that to begin on the opposite side of the Allegheny river, beside violating the law, would be a serious blow to the welfare of their city; and that even should the western side be preferred for a portion of the route, the canal must cross by an aqueduct, rather than commence elsewhere than in the city. They urged, also, the expediency of a location on the eastern side, for the whole distance.

The board listened to these suggestions with an interest proportioned to the magnitude of the subject, and with the utmost anxiety to protect and advance the prosperity of Pittsburg. After repeated conferences with their engineer, and mature deliberation upon the facts before them, it was their unanimous opinion, that the difficulties of the eastern shore precluded the hope of a canal on that side, within such limits of expense as ought to be incurred: thus leaving the simple alternative of following the west bank all the way, or crossing from the east side at a point below its most serious impediments.

Upon this alternative they were not disposed hastily to decide, nor did they deem a decision proper until further time for reflection, and an opportunity of examining the ground had been afforded them. They resolved, therefore, to locate the canal from the



mouth of the Kiskeminetas to that of Pine creek, about five miles above Pittsburg, (the latter point being agreed upon as most favorable for an aqueduct,) and to leave the remaining part of the distance for determination at their next meeting. This partial location was accordingly made by resolution of the 19th of June, and on the same day received the sanction of the Governor. An advertisement for contracts was also directed to be made for that portion of the line thus definitively fixed.

On the 3d of August, the board met at Pittsburg, expressly to determine the interesting questions pending in that quarter. That no professional aid, within their reach, might be wanting, Mr. Strickland was directed to repair to the spot, and the services of Major Douglass, professor of engineering at the U. S. Military Academy, were also engaged. As an indispensable preliminary, the board, accompanied by Mr. Roberts, and by the gentleman last named, ascended the Allegheny to the mouth of the Kiskeminetas, taking such a view of both sides of the river as served to inform them of the comparative difficulties. On their return, a committee of the citizens of Pittsburg was received to a conference with the board, who stated at large their views of the subject. These views differed from those presented by the former committee on one material point. The plan of an aqueduct over the Allegheny was strenuously opposed, and a location on the eastern side, to the exclusion of all others, and for the whole distance, as strenuously insisted on.

Having thus heard the opinions and wishes of the citizens of Pittsburg, as expressed by their committee, the board directed the engineers present to confer on the subject, and to report either jointly or severally, as they might agree. Major Douglass and Mr. Strickland, accordingly, furnished a joint report, a copy of which is annexed hereto. Its substance is—1st. That a canal on the east side would be attended with great and serious difficulties; but that, in their opinion, it is not impracticable. 2d. That the expense of such a canal would probably equal Mr. Roberts' estimate. 3d. That for facility of execution, and safety when made, a location on the west side, for the whole distance, would be decidedly preferable. 4th. That an aqueduct over the Allegheny, constructed within a reasonable limit of expense, would not, in their opinion, be permanently safe; and finally, as a consequence of this last position, that they would prefer a location on the eastern side, for the whole distance, to one which should require the employment of an aqueduct.

Mr. Roberts, in his separate report, adhered to the view he had formerly taken, and recommended the adoption of the western side for the whole distance. He annexed to it an estimate of such an aqueduct, as he deemed sufficient for conveying a feeder across the Allegheny, above the mouth of the Kiskeminetas, which he fixed at \$72,000, leaving a difference of \$291,000 between the route proposed by him, (including the aqueduct,) and that on the eastern side.



Amid such a conflict of opinions, it became necessary for the board to decide; and they approached this part of their duty with a deep sense of responsibility to the public, as well as to the community most immediately interested.

It was the opinion of a majority of the board, that the obstacles of the eastern side were too serious to be encountered; that the canal ought, if possible, to terminate in the Monongahela river, within the city of Pittsburg; and consequently, that it must cross the Allegheny, by an aqueduct at Pine creek. They did not doubt, that a location on the western side, for the whole distance, would be safer and more economical. But they thought, the great importance of Pittsburg, as a member of the Commonwealth, and the universal interest felt in its welfare, would justify the expense of an aqueduct, for its accommodation.

This question was no sooner disposed of, than another, not less difficult, arose. A doubt was suggested, whether the board had power to pass the canal at pleasure, through the city, so as to enter the Monongahela, at a point most convenient to the inhabitants, especially as much additional expense must be the consequence, without material advantage, to the public at large. The choice of routes, for this purpose, and the exact point of termination, must at all events be governed, by the probable damage to be occasioned to private property, and the probable extent to which releases could be expected. And it followed, that until the latter points were ascertained, with some degree of certainty, it would be hazardous to locate, beyond the city line.

From a combination of these views and opinions, resulted a resolution of the board, on the 9th of August, directing the canal, from the end of the location formerly made, to be passed by an aqueduct, across the Allegheny river, and thence to the line of the city of Pittsburg, upon such a level as to admit of being conducted, ultimately, either into the Allegheny or the Monongahela, or both. This location has since been made, and on the 4th day of September, was approved by the governor.

At a subsequent meeting of the board, held at Philadelphia, in September last, this subject was again discussed, on the question whether the portion last located, should be advertised for contracts. There was yet no certainty, that the object of the board, in crossing the river, could be fully accomplished. That object had been the accommodation of Pittsburg, by ending the canal at the steamboat harbor of the Monongahela, instead of ending it in the Allegheny. For it was not supposed, that if the canal were to terminate in the Allegheny, the convenience of the city would be promoted, by crossing the river, in any degree proportioned to the increase of expense. Until, therefore, the practicability of reaching the Monongahela, at a reasonable cost, were satisfactorily determined, it would have been unwise to execute an expensive work, which in one event, must be comparatively useless. The board were still less disposed to incur such hazard, from a knowledge, that their decision had not been satisfactory to the people of Pittsburg, and that a false step must expose them to censure.

from the public, unrelieved by the consolation of having gratified those for whose advantage it had been designed.

It was determined, therefore, to suspend the execution of this part of the work; and the acting commissioner was instructed to ascertain what proportion of land owners, on the several routes through the city, designated by the engineer, would probably release their claims to damages. He now informs the board, that he promptly furnished a copy of his instructions to the committee of the citizens of Pittsburg, and requested their assistance; but that thus far he has received from them no certain information, nor has he been able to obtain any, by his own exertions—so that the board is left in the same situation, and with as few materials for a correct decision, as when the canal was first located to the city line.

From all this, it will appear, that the important questions are yet undecided, and will claim at an early day, the attention of the Board. Shall the late location be adhered to? and if so, at what point shall it join the waters of the Ohio? or shall the location be rescinded, and a new one adopted, on the western side?

This embarrassment, sufficiently perplexing in itself, and perhaps involving most important interests, is increased in difficulty, by differences of opinion among intelligent men, as to the meaning of the law, from which alone, the commissioners derive their authority. The Board has not doubted its power to conduct the canal through the city of Pittsburg, nor that a canal on the western side, from a point opposite that city, to the mouth of the Kiskeminetas, would fall within the terms and spirit of the act of assembly. If an immediate decision upon these points, were required by the interests of the public, they would not deem it proper, to wait for assistance from the legislature, in the way of explanation. But as doubts have been expressed by individuals, whose opinions they respect, as to the power of the Board, on both these questions; and as the conducting of the canal through the city, must be attended with serious expense, perhaps not contemplated, by the framers of the law, they have deemed it prudent to lay before the legislature, this exposition, in order, that any misapprehension of the meaning of the act, or the power of the board, may be promptly corrected, by competent authority. Should the legislature think proper, to interpose their commands, it is respectfully hoped, that they will either define, with exactness, what they expect from the Board, or give them a discretionary power, not liable to be abridged, or doubted by construction.

In detailing their proceedings, on the western division of the Pennsylvania canal, the Board have purposely departed from exact chronological order. They deemed it an object of primary importance, that the interesting question, which has caused, to them, so much anxious thought, and has so seriously agitated the great western emporium of the state, should be presented to the legislature, at a single view. If they have succeeded, in so explaining the facts, that the public may understand, and justly appreciate them, their object is accomplished. Resting with confidence, on the decision of a tribunal, which only errs when infor-

mation is withheld, they return without further remark, to a history, of that portion of the line, which is positively determined.

In connection with his report, upon the location of the main canal, in the month of June, Mr. Roberts reported the plan of a feeder, to commence at the Kiskeminetas, about nine miles above its mouth, and passing down its northern bank, to cross the Allegheny river, by an aqueduct, at the head of the main canal. The line of this feeder has been run, and its practicability fully ascertained; but for obvious reasons, it has not yet been put under contract. The question is yet to be decided, by a paramount authority, whether this feeder shall be a part of the great communication from east to west, or shall be adapted merely to the purpose for which the Board at present is competent to provide. Upon the decision of this question, preliminaries indispensable to the making of contracts, depend.

It is proper here to remark, that the aqueduct necessary to convey a feeder across the Allegheny river, has no bearing upon the question of location on the eastern or western side. In either case the canal must derive its supply from the water of the Kiskeminetas, brought by a feeder from a considerable distance up that stream. Should the Juniata route be adopted hereafter, this feeder must become a part of the great communication from east to west; and in a different event, will probably be continued some miles higher, in order to accomodate the valuable and increasing trade of the Conemaugh. Keeping in view these two important objects, it can only be constructed on the north bank of the Kiskeminetas, and consequently, had the eastern side of the Allegheny been preferred for the canal located this year, the water for its supply must have crossed the Kiskeminetas, on an aqueduct at its mouth, where its width differs but a few feet, from that of the Allegheny.

About the middle of August, regular notice having been given, the line of canal from Kiskeminetas to Pine creek, was let out to contractors upon terms more favourable than could have been anticipated, and considerably below the Engineer's estimate. Early in September the work was begun, and has advanced since that time with great activity. The reports of the acting commissioner and engineer for this division, are hereto annexed, and will furnish the requisite information, as to its progress and present situation. It appears that 288,192 cubic yards of earth, and 5,839 of rock have been excavated, and that 45,568 cubic yards of embankment have been made, besides considerable steps towards the erection of culverts, aqueducts, locks and bridges. The feeder aqueduct over the Allegheny, heretofore spoken of, has been contracted for at \$70,000, and is now in train for rapid execution. The exact cost of the work already performed, does not appear by the report of the acting commissioner. This may be set down at \$40,000, and it is estimated, that the further sum of \$22,061 14 will be necessary to complete the line, now under contract, namely—

For excavation,	\$95,967 98
For locks, culverts and small aqueducts,	50,044 21
For the large feeder aqueduct over the Allegheny,	70,000 00
For bridges,	5,045 00

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\$222,061 14

If the canal shall hereafter cross the Allegheny, at Pine creek, a sum not less than \$85,000 must be allowed for the aqueduct, and the further sum of \$46,946 12 for the remaining distance, between the end of the aqueduct, and the termination at Pittsburgh, according to the late estimate of Mr. Roberts. So that the whole sum yet required for this division of the canal, according to its present location, exclusive of damages to private property, not yet ascertained, is \$554,007 70. If, on the contrary, the present location be rescinded, and the canal continued down the west side, so as to end in the Allegheny, opposite Pittsburg, the \$85,000, will be saved, and \$55,407 36. must be added, for the distance between Pine Creek and Pittsburg, making the whole estimated cost yet to be incurred \$277,408 50. The length of line now under contract on the western division, is 24 miles and 7 chains, with 36 feet of lockage, distributed among five locks. The total fall from the top of the aqueduct at Kiskeminetas, to the bottom of the river at Pittsburg, is 81 feet, so that 45 additional feet of lockage will be required to complete the communication. The remaining distance by the eastern side, is 5 miles 33 chains, that on the western side, 5 miles and 52 chains.

Beside the construction of the two lines of canal already spoken of, the act of 25th February, 1826, directs the Board, "as soon as they shall deem it expedient and practicable, to construct a navigable feeder of a canal from French creek, to the summit level, at Conneaut Lake, sufficient to convey at least two hundred and twenty-one cubic feet of water per second, and to survey and locate the route of a canal from thence to lake Erie."

Considerable anxiety having been manifested by the inhabitants of the northwestern section of the state, that some steps should be taken towards the performance of this duty during the past season, the Board determined to visit the Conneaut summit, as soon as their business at Pittsburg was finished. The presence of Major Douglass, at that time, and his willingness to engage for a few weeks, in the service of the Board, induced a resolution that the line of the French creek feeder, should be surveyed, and its expense estimated, under his direction. Major Douglass embarked in this undertaking, with great zeal, and though retarded by the difficulty of procuring instruments, and collecting a party, at so short a notice, finished it to the satisfaction of the board, within the contemplated time.

A strict adherence to the distinction made between the duties of the board, at the commencement of this report, would lead at this time, to a particular account of Major Douglass' operations. But as they partake of the character of preliminary surveys, and are moreover, intimately connected with others, which must be the

subjects of a future communication,<sup>1</sup> the board have deemed it most advisable to pass them for the present, and to include them in their general report of the examinations of the past season.

The board have now given a concise narrative of their proceedings, under the act of last session, for the commencement of the Pennsylvania canal. Whatever of detail may be necessary to fill up the sketch, will appear by the documents annexed to this report. Facts have been stated without comment, and all speculations upon the policy or prospects of internal improvement in Pennsylvania, are intentionally avoided. At no very distant day the board hope to present such information as has been developed by the surveys of the past year; information which must in a great measure guide the decisions of the legislature. They, therefore, reserve all general observations for an opportunity, which seems to them, more strictly appropriate.

Before closing the present communication, it is thought proper officially to announce, that at the recent session in the city of Philadelphia, a letter was received from John Sergeant, Esq. tendering his resignation as president of the board. The ability and candor with which this gentleman has presided over past operations, and the forecasting solicitude with which, even at the hurried moment of departure from his country, he dwelt upon the future, will be recollected by his colleagues, with gratitude and respect. Nor can the commonwealth fail to derive essential advantages from his disinterested, persevering and judicious labours. His absence at this peculiar moment, is regarded as a serious misfortune, relieved indeed, by the hope, that he may return in time for the active operations of the ensuing year, and by the recollection, that the whole nation has now the benefit of services, of which the commonwealth is deprived.

The board have elected William Darlington, Esq. their president, in the room of Mr. Sergeant.

By order of the board.

WILLIAM DARLINGTON, Pres't.

JOSEPH M'ILVAINE, Sec'y.

*Philadelphia, December 11, 1826.*

*Copy of Resolutions of the Board of Canal Commissioners, relative to the location of the eastern and western divisions of the Pennsylvania Canal, and dimensions of the locks, with the approbation of the Engineers, and the consent of the Governor, marked A, B, C & D.*

A.

At a meeting of the Canal Commissioners of Pennsylvania, held at the borough of Harrisburg, on the 19th day of June, 1826, it was Resolved, That the board, with the approbation of William Strickland, their engineer, (if his Excellency, the Governor, shall consent,) do hereby determine the location of the Pennsylvania

Canal from the river Swatara to, or near to a point opposite the mouth of Juniata, and the dimensions thereof as follows, that is to say:—Beginning at a point on the Swatara, designated on a plan or draft of the said William Strickland, and thence, according to said plan or draft, to a point on the east side of the Susquehanna, at Poster's Falls, where a stake has been placed by the engineer. And the board do hereby determine the general dimensions of the canal to be as follows, that is to say:—From the last mentioned point on the Susquehanna to Harrisburg, forty three feet wide at the water line, thirty one feet wide at the bottom, with four feet six inches depth of water, and with a fall of one inch and a half to the mile. Thence to the Swatara, forty feet wide at the water line, twenty-eight feet wide at the bottom, and four feet in depth, subject to such occasional alterations in the location and other particulars as the engineer and acting commissioner may find necessary. That the dimensions of the locks be as follows, to wit:—seventeen feet in width, and eighty-five feet in length, within the chamber.

A true copy from the minutes.

JOS. M. ILVAINE, Sec'y.

I approve the location and dimensions of the Pennsylvania Canal, from the Swatara to or near a point opposite the mouth of Juniata, and the dimensions of the locks as described in the within resolution, and the maps or drafts therein referred to.

WILLIAM STRICKLAND, *Engineer*,

*Harrisburg, June 19, 1826.*

Agreeably to the seventh section of the act of February 25, 1826 entitled "An act to provide for the commencement of a canal, to be constructed at the expense of the state, and to be styled 'The Pennsylvania Canal,'" I consent to the location and dimensions of the canal and locks, as determined upon by the commissioners, agreeably to the foregoing resolution of said board.

J. ANDW. SHULZE.

*Harrisburg, June 19, 1826.*

B.

At a meeting of the Canal Commissioners of Pennsylvania, held in the borough of Harrisburg, on the 19th June, 1826, it was

Resolved, That the board, with the approbation of Nathan S. Roberts, their engineer, (if his Excellency, the Governor, shall consent,) do hereby determine, in part, the location of the western division of the Pennsylvania Canal, and the dimensions thereof, as follows, that is to say:—Beginning at a point at or near the mouth of Pine creek, on the west side of the Allegheny river, designated on a plan or draft of the said Nathan S. Roberts, and thence according to such plan or draft, to a point at or near the mouth of Kiskeminetas, also designated in said plan or draft. And the board do



hereby determine the general dimensions of the canal to be as follows, to wit:—Forty feet wide on the water line, twenty-eight feet wide at the bottom, and four feet in depth, subject to such occasional alterations in the location and other particulars as the engineer and acting commissioner may find necessary. That the dimensions of the locks be as follows: fifteen feet in width, and eighty-five feet in length, in the chamber.

A true copy from the minutes

JOS. M'ILVAINE.

June 19, 1826.

I approve the location and dimensions of the western section of the Pennsylvania Canal, and the dimensions of the locks, as described in the within resolution, and the maps and drafts therein referred to.

NATHAN S. ROBERTS, *Engineer*:

Harrisburg, June 19, 1826.

Agreeably to the seventh section of the act of February 25, 1826, entitled "An act to provide for the commencement of a canal, to be constructed at the expense of the state, and to be styled 'The Pennsylvania Canal,'" I consent to the location and dimensions of the canal and locks, as determined upon in part by the board of canal commissioners, agreeably to the foregoing resolution of said board.

J. ANDW. SHULZE.

Harrisburg, June 19, 1826.

C.

At a meeting of the board of canal commissioners of Pennsylvania, held in the city of Pittsburg, on the ninth day of August, 1826,

It was resolved, That the dimensions of the locks, for the eastern and western division of the Pennsylvania canal, agreed to at the last meeting of the board, be changed, so that they shall be of ninety feet in length, within the chamber, and that application be made to the governor to give his assent to such alteration.

I certify the foregoing to be a true copy from the minutes of the Board.

JOSEPH M'ILVAINE, *Sec'y*:

We approve the alteration as proposed in the foregoing resolution.

NATHAN S. ROBERTS, *Engineer*.

WILLIAM STRICKLAND, *Engineer*.

Sept 9, 1826.

I consent to the alteration, as determined upon in the foregoing resolution, by the board of canal commissioners, and approved of by their engineers.

J. ANDW. SHULZE.

Harrisburg, September the 4th, 1826.

## D.

At a meeting of the canal commissioners of Pennsylvania, held in the city of Pittsburg, on the ninth day of August, 1826,

It was resolved, That the board, with the approbation of Nathan S. Roberts, their engineer, (if his excellency the governor shall consent) do hereby determine that the location of the western division of the Pennsylvania canal, determined in part at the meeting of the nineteenth June last, be now completed, by passing over the Allegheny river, by an aqueduct, near the mouth of Pine creek, and then, pursuing the eastern bank of the river, to the line of the city of Pittsburg, upon such a level as will admit of passing the canal ultimately either into the Allegheny or Monongahela river or both.

I certify the foregoing to be a true copy from the minutes of the board—August 9, 1826.

JOSEPH M'ILVAIN, Sec'y.

August 9, 1826.

I approve the location as made by the foregoing resolution.

NATHAN S. ROBERTS, engineer.

I consent to the location as determined upon by the above resolution, and approved of by the engineer.

J. ANDW. SHULZE

Harrisburg, September 4, 1826.

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NO. 1.

*Copy of a report of William Strickland, engineer, dated 29th April, 1826, containing his plan and location of the eastern division of the Pennsylvania canal.*

*To the Pennsylvania Canal Commissioners.*

GENTLEMEN—

I have the honor to communicate to you the result of an explored line of survey, accompanied with a map and profile of the eastern section of the Pennsylvania canal, commencing at a point opposite to the mouth of the Juniata at upper Clark's Ferry, and terminating at the Swatara creek, below Middletown.

The principal points for consideration which have been presented to me along this line, have been carefully examined and noted; these upon reference to the general character of the ground have in some degree an arbitrary effect upon the location of the whole route of the canal. In choosing the best ground above and below the points of Peter's, Short and Kittatiny mountains, it has been my main object to keep the levels sufficiently elevated to pass round them with the least expense, and out of reach of the floods of the river Susquehanna.



At Peter's mountain, where the water of the river must be taken out by means of a dam and ground lock, it will be necessary to build a strong rubble wall averaging 14 feet in height parallel with the shore, and along the channel of the river for the distance of at least one mile and a half : the inside of the wall must be backed up with a strong puddled embankment and towing-path in order to overcome the pressure from the floods of the river, and to prevent any leakage from the canal.

After passing this mountain, I have chosen the most favourable position for clearing the rocky shore of the river, and entering in upon the bottom land, which I find may be conveniently effected at a point just below Foster's Lower Falls.

On the first level from Foster's falls to the end of Short mountain, the canal will pass through a wide strip of flat land about two miles in length, composed chiefly of clay and gravel, with occasional nodules of rock, the first half mile of which comprised in section No. 5, will require about 5 feet cutting of easy level excavation. On sections 6, 7, and part of 8, the cutting will make the banks.

The end of Short mountain commences about 3-4ths of a mile above Clark's creek, being composed chiefly of red shell slate, alternating with veins of red sand stone, which will form good building stone, particularly for the wall which must be formed for the protection and support of the canal: this wall will be about 10 feet in height, and upwards of half a mile in length, the stone and soil being sufficiently convenient to form the canal at a less comparative expense than at other similar difficult positions on the line.

After passing Clark's creek, where there will be a necessity for an aqueduct of about 20 or 30 feet span of arch ; the ground again assumes a beautiful level of an easy excavation for a distance of two miles to Stony creek ; the whole amount of cutting upon this level, including sections 10, 11, 12 and 13, will not average more than 4 feet : these sections compose the first or summit level of the canal, which being continued for a short distance across Stony creek terminates at a lock of 9 feet fall; the whole descent of the river from the Juniata to the water surface of Stony creek is 25 feet 6 inches.

In the consideration of this level I have to remark, that it will enable you to pass Clark's and Stony creeks with a sufficient elevation to be out of all danger from the highest floods that have been recorded in the river Susquehanna, and that the only difficult and expensive points of contact are at Peter's and Short mountains : these cannot be avoided, but they will in a great measure be diminished by the facility and ease with which the other portions of the level may be accomplished.

The second level—section 14 and 15, include the Kittatinney mountain, and present a very narrow rocky pass for a distance of 3-4th of a mile, on which it will be necessary to wall out the river, and occupy a great portion of the bed of the turnpike road for the foundation of the canal. In this case the road must be shifted,

where it is practicable, to higher ground, and a dry wall built for its support on the upper side of the canal. The external wall of the canal will average about 9 feet in height to the top of the towing path and must be built in two thicknesses, with a puddle trench between, in order to take up as little space as possible. Although these rocks are very hard, consisting of a conglomerate of quartz pebbles, embedded in trap or whin stone, they may be separated in some places at natural joints, or blown off with sufficiently even beds to make a substantial wall. There will be some difficulty in obtaining materials for puddling at this point, unless carted from a considerable distance. I suggest the propriety of reducing the breadth of the canal at this place, about ten or twelve feet.

Upon leaving the Kittatinney mountain, the second level is very well adapted to cross the turnpike and follow the first ravine, in a direction from the river where there is excellent bottom ground to support it as far as Updegroves, avoiding altogether the rocky bank or shore above M'Allister's: At Updegroves, it will be necessary to drop another lock of 8 feet, and enter into a third level, which leads into the head swamps and valley of Paxton creek. The principal points of consideration upon the second level are mainly these: in locking down 9 feet, immediately after passing Stoney creek, you will command a sufficient elevation, round the point of Kittatinney mountain to clear the floods of the river, and be enabled to bring in a considerable supply of water from Stoney and Fishing creeks; also, to pass the last mentioned creek with an aqueduct at a proper height above its freshets, and the back water of the river. Sections 16 and 17 form the continuation of this level as far as Updegroves, for which the ground is very favourable: it passes through M'Allister's fish pond, the surface water of which is about one foot lower than the mill pond, which supplies it; and is exactly level with the water line of the canal; of course all the water of Fishing creek will be drained into the canal, and carried forward to the second lock at Updegrove's.

In running this level farther down than Updegrove's, I soon found it necessary to abandon it and seek lower and better ground; for although it would be practicable to continue it all the way to Harrisburg, yet there would be a necessity to pass along the edge of a very rocky ridge, and to form an embankment of twelve feet in height across the flat meadow in the rear of Carson's house, for at least three-fourths of a mile in length.

The third level.—Having therefore deemed it expedient to lock down at Updegrove's and pursue a third level, which carried the canal along the edge of Cox's swamp, to the valley of Paxton creek, leading in the rear of the state capitol, to a point opposite the end of Walnut street, at the town of Harrisburg, I found the whole length of this level would embrace eleven sections, including 18 and 23, of excellent level and side long cutting, composed chiefly of a stiff tenacious clay. I have not seen better ground; it will be only necessary for the whole distance of five and a half miles to cut three feet to form the banks of the canal.

The third level having terminated at Harrisburg, where the flats of Paxton creek are low and wide, being frequently overflowed with the back water of the river, I dropped two locks, of 6 feet each, and tried to cross the creek to the eastern side, but found that the ground would require a lengthy embankment, with no sufficient elevation to pass the wild water which occasionally fills and overflows the valley of that sluggish stream; I therefore pursued a fourth level along the fast land on the western side, which skirts the town, passing the turnpike above the bridge, and crossing Paxton creek a little below the New Lane fording place.—Here the valley is much narrower than above, requiring a short embankment with an elevation of above twelve feet, for an aqueduct above the water surface of the creek, being evidently a better and less expensive crossing place than the one above mentioned.

This level continues without any difficulty, upon very good ground, along the side of the turnpike road until it arrives at a point opposite to Bombaugh's house, near the toll gate, where it will be necessary to drop another lock of seven feet.

Although I have sought the highest ground that could be obtained for crossing Paxton creek on the west side, I do not consider an elevation of twelve feet sufficient for an arched aqueduct, as the back water from the river and the freshets in the creek have risen this spring nearly eight feet: still the work may be safely guarded by the construction of a trunk aqueduct, supported by stone piers, at a sufficient distance apart to allow room enough for an ample discharge of the water.

The fifth level, from the last lock at Bombaugh's to the mouth of the Swatara, includes sections No. 34 to 48, and has no parallel for easy, level and sidelong cutting, with the exception of a short embankment round a limestone bluff, which closes into the turnpike road near the river at Neisley's. The line crosses the turnpike twice; once at the town of High Spire, where it extends into Hopkin's swamp, and again, about one mile above Middletown, near the toll gate, where it leaves the road to the left hand, pursuing a sloping ravine to the end of the race of Fry's mill, about one mile below Middletown, and near the junction of the Swatara with the Susquehanna. I continued this level to an old blanchied tree, on the upper side of the mill race upon the margin of the creek, which stands at 18 feet above the present surface, and 36 feet below the water line of the Susquehanna at Upper Clark's Ferry, making a total descent in the river of 54 feet in 24 miles. At this point the ground on either side of the Swatara, appears to be most favourable for crossing or forming a communication with the Union canal and the creek: It also affords an excellent position for a large basin and warehouses.

Agreeably to your instructions, I have kept constantly in view the required accommodation for the supply of the borough of Harrisburg with water; for this purpose, I have thought it advisable to bring on as high a level to the town as the nature of the ground would admit: I found the third level to be upwards of six feet above that established by the engineer of the Harrisburg company: this

result appears to be desirable in their view, as it will produce a more effective head and fall for the contemplated mill power

The only plan which in my opinion can be conveniently devised for this object, is to deepen the three upper levels of the canal to six feet at least, (this will increase the expense of the work nearly one-third for the whole distance of fourteen miles) and to terminate the third level in a large reservoir at the back of the town. In order to increase the supply of water it will be necessary to give a descent to the canal of at least four inches to the mile, and to introduce Stoney creek, which has the reputation of being a very constant stream, even at the lowest stage of the waters; this may be done at little or no expense beyond the purchase of two mill seats situated at its mouth.

You will perceive by the plan and section accompanying this report, that the two lower levels are long, and will require, independently of the water brought down by lockage, a constant supply from the proposed reservoir, as there are no other means of introducing water into the Pennsylvania canal, between this point and the Swatara.

There is evidently a difficulty in gleaning water from the beds of wide and shallow rivers, such as the Susquehanna, where the current passes rapidly upon a descent averaging more than two feet in a mile, and where in the construction of a dam you are compelled to leave the channel way clear, for the purposes of river navigation. Failures have already occurred in dry seasons upon canals of long levels that are so supplied, even under as great a descent as 4 inches to the mile, which is about one-eighth of the declivity of the river in question.

The superabundance of water beyond what will be adequate to the great trade which must eventually flow into this section of the Pennsylvania Canal, cannot be desirable to the Harrisburg Company, or form even an equivalent for the increased expense which they must necessarily incur in widening and deepening the Canal: To make the most of it, I am of opinion that all the water that can be taken out of the river by an open dam and guard locks at Upper Clark's Ferry, except when the river is flooded, will be essential to the supply of 24 miles of canal including the six locks, leakage, evaporation, &c.—and beyond this, you have simply at your command the auxiliary supplies of Clark's and Stoney Creeks.

Having thus described a route which has been explored with great care, I do not hesitate to recommend it to you for adoption generally. There are some few places where it may be straightened with advantage; but I do not believe the ground is capable of a better location for the canal:—I have predicated the work upon a sectional area of 4 feet in depth, by 40 feet water surface, with a slope of banks as 2 to 3.—When you have determined upon these dimensions, which will in a great measure depend upon your final decision with the Harrisburg Company, I will make estimates of

the cost of the various sections and departments of the whole route, and submit them to you at as early a period as possible.

Respectfully submitted,

By your obed't. servant,

WILLIAM STRICKLAND, Eng'r.

Harrisburg, April 29, 1826.

## No. 2.

*Estimate of the cost of constructing the Eastern Division of the Pennsylvania Canal, laid before the board, May 17, 1826, by Wm. Strickland, Engineer.*

### TO THE PENNSYLVANIA CANAL COMMISSIONERS.

GENTLEMEN:—In conformity with the instructions contained in a resolution of the board, of May last, requiring me to locate and form a detailed estimate of a canal of the dimensions stated therein, I have accordingly examined, with great care, the explored line lately reported to you, from the Juniata to the Swatara; and staked out a line, which I consider the best adapted to the ground between these two points.

Upon a review of the levels, I have found them to be very correctly taken, and in the establishment of the line, no circumstances of any importance have occurred, that would warrant me in altering their positions. In a few instances, it has become expedient to depart somewhat from the explored line in *plan*, in order to equalize the proportions of the cutting to the embankments, and to avoid as far as is practicable, any unnecessary damage to private property.

I have divided and numbered the whole line into forty-seven sections, of half a mile each, suitable for contractors: The depth of cutting and the height of embankments being marked on every station at 12 and 16 perches apart.

For the detail, I beg leave to refer you to the following estimate of the cost of each section of the whole division, extending from Clark's ferry, opposite the mouth of the Juniata, to the Swatara, at Portsmouth

Your's, very respectfully,

WILLIAM STRICKLAND, Engineer.

Harrisburg, June 12th, 1826.

## HARBOUR AT CLARK'S FERRY.

**Pier Head.**—Dimensions of the basin at the head of the guard lock, 300 by 200 feet; pier head and outer guard wall, 725 feet in length, 16 feet in height; average thickness, 6 feet 6 inches, containing 3,050 perches, at \$1 50 per perch,

\$4,575

Filling of the pier head, 2,933 cubic yards, at 25 cents per yard,

733

**Lock Wharf.**—Forming the guard lock wharf, 7,400 cubic yards, at 25 cents,

1,850

**Guard Lock.**—Chamber 85 feet in length by 17 feet in width, 12,000 cubic feet of faced walling, at 75 cents per cubic foot, including workmanship and materials,

9,000

Backing up with rubble masonry, 560 perches, at \$2 50 per perch,

1,400

Gates and iron work,

600

**Dam.**—Dam across the Susquehanna, 700 yards in length, base 20 yards in breadth by 3 feet in height, 7000 cubic yards, at \$1 50 per yard,

\$10,500

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\$28,658

## SECTION. No. 1.

**Outer Wall.**—Length 2640 feet, height 16 feet, average thickness 5 feet, 8500 perches, at \$1 50,

12,750

**Inner Wall.**—Length 2640 feet, height 6 feet, average thickness 1 foot 6 inches, 900 perches, at \$1 50,

1,350

**Embankment.**—Embankment against outer wall, 880 yards in length, containing 17,600 cubic yards, at 30 cents per yard, including puddling,

5,280

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19,380

## SECTION, No. 2.

**Outer Wall.**—Length 2640 feet, height 15 feet, average thickness 5 feet, 8000 perches, at \$1 50 per perch,

12,000

**Inner Wall.**—Length 2640 feet, height 6 feet, average thickness, 1 foot 6 inches, 900 perches, at \$1 50 per perch,

1,350

**Embankment.**—Against outer wall 880 yards in length, containing 17,600 cubic yards, including puddling, at 30 cents per yard,

5,280

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18,630

Carried forward,

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\$ 66,668

Brought forward,

\$ 66,668

## SECTION No. 3.

*Outer Wall.*—Length 2640 feet, height 13 feet, average thickness 5 feet, 6,930 perches, at \$1 50 per perch,

10,395

*Inner Wall.*—Length 2640 feet, height 6 feet, average thickness 1 foot 6 inches, 900 perches at \$1 50 per perch,

1,350

*Embankment.*—Against outer wall, 880 yards in length, containing 11,000 cubic yards, including puddling, at 30 cents per yard,

3,300

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 15,045

## SECTION No. 4.

*Loam.*—Cutting 7 feet 6 inches, length 880 yds. containing 28,160 cubic yards, at 12½ cents per yard,

3,520

*Back Drain.*—Length 880 yards, containing 1760 cubic yards, at 10 cents,

176

*Waste Weir.*—Wall and platform,

200

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 3,896

## SECTION No. 5.

*Loam.*—Cutting 5 feet, length 880 yards, containing 17,600 cubic yards, at 12½ cents,

2,200

*Back Drain.*—Length 880 yards, containing 1760 cubic yards, at 10 cents,

176

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 2,376

## SECTION No. 6.

*Loam.*—Cutting 4½ feet, length 880 yards, containing 16,720 cubic yards, at 12½ cents,

2,090

Embanking, 5 feet in height and puddling 110 yards, containing 2,200 cubic yards, at 25 cents,

550

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 2,640

## SECTION No. 7.

*Loam.*—Cutting 5 feet, length 644 yards, containing 12,880 yards, at 12½ cents,

1,606

Embankment, 5 feet, 236 yards, containing 4,720 cubic yards, at 25 cents,

1,180

*Culvert.*—One 6 feet culvert,

300

*Bridges.*—Two private road bridges, at \$50 dollars each,

700

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 3,786

Carried forward

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 \$ 94,411



Brought forward,

\$ 94,411

## SECTION No. 8.

<i>Clay and detached rock.</i> —Cutting 3 feet, length 330 yards, containing 3,630 cubic yards, at 25 cents,	907	
<i>Outer wall, at Short Mountain.</i> —Length 1650 feet, height 14 feet, average thickness 4 feet, 3,733 perches, at \$1 50 per perch,	5,599	
<i>Inner wall.</i> —Length 1650 feet, height 12 feet, average thickness 2 feet, 1,600 perches, at \$1 50 per perch,	2,400	
<i>Puddle trench.</i> —Length 550 yards, height 12 feet, average thickness 7.6 feet, 5,500 cubic yards, at 30 cents,	1,650	
<i>Bottom puddle.</i> —Length 550 yards, height 2 feet, width 30 feet, 3,666 cubic yards, at 30 cents,	1,099	
	<hr/>	11,655

## SECTION No. 9.

<i>Outer wall, at Short Mountain.</i> —Length 1650 feet, height 14 feet, average thickness 4 feet, 3,733 perches, at \$1 50 per perch,	5,599	
<i>Inner wall.</i> —Length 1650 feet, height 12 feet, average thickness 2 feet, 1,600 perches, at \$1 50 per perch,	2,400	
<i>Puddle trench.</i> —Length 550 yards, height 12 feet, average thickness 7.6 feet, 5,500 cubic yards, at 30 cents,	1,650	
<i>Bottom puddle.</i> —Length 550 yards, height 2 feet, width 30 feet, 3,666 cubic yards, at 30 cents,	1,099	
<i>Clay and detached rock.</i> —Cutting 5 feet, length 330 yards, containing 6,600 cubic yards, at 25 cents per yard,	1,650	
<i>Aqueduct.</i> —Aqueduct at Clark's creek, 128 feet in length, and 40 feet span of arch,	13,500	
	<hr/>	25,898

## SECTION No. 10.

<i>Loam.</i> —Cutting 5 feet, length 880 yards, containing 17,600 cubic yards, at 12½ cents,	2,200	
<i>Back drain.</i> —Length 880 yards, containing 1760 cubic yards, at 10 cents,	176	
One private road bridge,	350	
	<hr/>	2,726
Carried forward,		<hr/> \$ 134,690



Brought forward,

\$ 134,690

SECTION No. 11.

<i>Clay.</i> —Cutting 5 feet, length 247 yards, containing 4,940 cubic yards, at 12 cents,	617	
Embanking and puddling 5 feet, length 633 yards, containing 12,660 yards, at 25 cents,	3,165	
<i>Back drain.</i> —Length 880 yards, containing 1760 yards cubic, at 10 cents,	176	
One culvert, 6 feet in diameter,	380	
	<hr/>	4,338

SECTION No. 12.

<i>Clay.</i> —Cutting 3 feet 4 inches, length 358 yards, containing 4,296 cubic yards, at 12½ cents,	537	
Cutting 5 feet, length 346 yards, containing 6,920 cubic yards, at 12½ cents,	865	
<i>Clay and detached rock.</i> —Cutting 3 feet, length 176 yards, containing 1,936 cubic yards, at 25 cents,	484	
<i>Back drain.</i> —Length 880 yards, containing 1,300 cubic yards, at 10 cents,	150	
Grubbing and clearing,	50	
	<hr/>	2,086

SECTION No. 13.

<i>lay and rock.</i> —Cutting 6 feet, length 415 yards, containing 10,575 cubic yards, at 30 cents,	3,112	
<i>Aqueduct.</i> —Aqueduct at Stoney creek, 128 feet in length, and 40 feet span of arch,	13,500	
Embanking and puddling 10 feet, length 132 yards, containing 8,712 cubic yards, at 30 cents,	2,613	
<i>Lock at Stoney creek.</i> —One lock, 9 feet lift, 85 feet chamber and 17 feet in width, with gates complete,	10,500	
Cutting 4 feet 6 inches, length 319 yards, containing 5,423 cubic yards, at 12½ cents,	678	
	<hr/>	30,403

Carried forward,

\$ 171,517

Brought forward,

\$ 171,517

## SECTION No. 14.

## KITTATINNEY MOUNTAIN.

<i>Outer Wall</i> .—Length 2640 feet, height 16 feet, average thickness 5 feet, 8500 perches, at \$1 50 per perch	12,750
<i>Inner Wall</i> .—Length 2640 feet, height 12 feet, average thickness 3 feet, 3840 perches, at \$1 50 per perch	5,760
<i>Puddle Trench</i> .—Length 880 yards, height 14 feet, average thickness 4 feet 6 inches, 6160 cubic yards, at 30 cents	1,848
<i>Bottom Puddle</i> .—Length 880 yards, 2 feet in depth by 30 feet wide, 6160 cubic yards, at 30 cents	1,848
<i>Turnpike Road</i> .—Removing old road and forming a new bed, 160 perches in length, at \$12 per perch	1,920
	<hr/> \$24,126

## SECTION No. 15.

## KITTATINNEY MOUNTAIN.

<i>Outer Wall</i> .—Length 1540 feet, height 16 feet, average thickness 5 feet, 5000 perches, at \$1 50 per perch	7,500
<i>Inner Wall</i> .—Length 1540 feet, height 12 feet, average thickness 3 feet, 2000 perches, at \$1 50 per perch	3,000
<i>Puddle Trench</i> .—Length 514 yards, height 14 feet, average thickness 4 feet, 3591 cubic yards, at 30 cents	1,077
<i>Bottom Puddle</i> .—Length 514 yards, height 2 feet in depth by 30 feet wide, 3591 cubic yards, at 30 cents.	1,077
<i>Turnpike road</i> .—Removing old road and forming a new bed, 90 perches in length, at \$12 per perch	1,080
<i>Culvert</i> .—One 4 foot culvert	800
Embanking and puddling, 6 feet, 154 yards in length, 2002 cubic yards, at 25 cents	500
<i>Clay and detached Rock</i> .—Cutting 7 feet 6 inches, length 212 yards, containing 6890 cubic yards, at 25 cents	1,722
<i>Bridge</i> .—Bridge for turnpike road	900
	<hr/> \$17,156
Carried forward,	<hr/> \$ 212,799

Brought forward,

\$ 212,798

## SECTION No. 16.

<i>Clay.</i> —Cutting 4 feet, length 467 yards, containing 7005 cubic yards, at 12 1-2 cents	876	
Embanking and puddling 6 feet, length 864 yards, containing 9100 cubic yards, at 25 cents	2,275	
<i>Back Drain.</i> —Length 880 yards, containing 1760 cubic yards, at 10 cents	176	
One culvert 4 feet in diameter	300	
<i>Aqueduct.</i> —One aqueduct at Fishing creek, 100 feet in length and 20 feet span of arch	10,000	
One public road bridge	500	
	<hr/>	\$14,127

## SECTION No. 17.

<i>Loam.</i> —Cutting 3 feet, length 880 yards, containing 9240 cubic yards, at 12½ cents	1,155	
<i>Back drain.</i> —Length 880 yards, containing 1760 cubic yards, at 10 cents	176	
	<hr/>	\$1,331

## SECTION No. 18.

<i>Clay and loose rock.</i> —Embanking and puddling 5 feet, length 264 yards, containing 5280 cubic yards, at 25 cents	1,320	
One 4 feet culvert	300	
Sidelong cutting and embanking 5 feet, length 418 yards, containing 3971 cubic yards, at 30 cents	1,191	
<i>Lock at Updegrove's.</i> —One lock of 8 feet lift	8,100	
Cutting and embanking sidelong 7 feet, length 198 yards, containing 2772 cubic yards, at 30 cents	831	
Grubbing and clearing	40	
	<hr/>	11,782

## SECTION No. 19.

<i>Clay and loose rock.</i> —Cutting and embanking 4 feet, length 418 yards, containing 5852 cubic yards, at 25 cents	1,463	
One culvert, 4 feet in diameter	300	
Level cutting, 3 feet, length 462 yards, containing 5082 cubic yards, at 12½ cents	635	
<i>Back drain.</i> —Length 462 yards, containing 924 cubic yards, at 10 cents	92	
	<hr/>	2,490
Carried forward,	<hr/>	\$ 242,529

Brought forward,

\$ 242,529

## SECTION No. 20.

<i>Clay.</i> —Cutting 4 feet, length 880 yards, containing 13,200 cubic yards, at 12½ cents	1,650	
One public road bridge	500	
<i>Back drain.</i> —Length 880 yards, 1760 cubic yards, at 10 cents	176	
	<hr/>	\$2,326

## SECTION No. 21.

<i>Clay.</i> —Cutting 4 feet 6 inches, length 880 yards, containing 14,960 cubic yards, at 12½ cents	1,870	
<i>Back drain.</i> —Length 880 yards, containing 1760 cubic yards, at 10 cents	176	
Grubbing and clearing	300	
	<hr/>	\$2,346

## SECTION No. 22.

<i>Clay and loose rock.</i> —Cutting 5 feet, length 880 yards, containing 17,600 cubic yards, at 25 cents	4,400	
Grubbing and clearing	150	
	<hr/>	\$4,550

## SECTION No. 23.

<i>Sand and Clay slate.</i> —Sidelong cutting and embanking, length 880 yards, containing 22,880 cubic yards, at 25 cents	5,720	
Private road bridge at Cox's	350	
	<hr/>	\$6,070

## SECTION No. 24.

<i>Sand, clay, and loose rock.</i> —Sidelong cutting and embanking, length 528 yards, containing 13,728 cubic yards, at 25 cents	3,432	
Level cutting, 4 feet, length 352 yards, containing 5,280 cubic yards, at 25 cents	1,320	
Grubbing and clearing	75	
	<hr/>	\$4,827

## SECTION No. 25.

<i>Clay and sand.</i> —Sidelong cutting and embanking, length, 880 yards, containing 22,880 cubic yards, at 25 cents	5,720	
	<hr/>	\$5,720

Carried forward,

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\$268,368

Brought forward,

\$ 288,368

SECTION No. 26.

<i>Clay.</i> —Cutting 3 feet, length 880 yards, containing 9,640 cubic yards, at 12½ cents	1,210	
One private road bridge	350	
One culvert 4 feet in diameter	300	
	<hr/>	\$1,860

SECTION No. 27.

<i>Clay.</i> —Cutting 3 feet, length 374 yards, containing 4,114 cubic yards, at 12½ cents	514	
Sidelong cutting and embanking, length 506 yards, containing 6,072 cubic yards, at 25 cents	1,518	
One public road bridge	500	
	<hr/>	2,532

SECTION No. 28.

<i>Clay.</i> —Sidelong cutting and embanking; length 682 yards, containing 10,250 cubic yards, at 25 cents	2,550	
Level cutting 3 feet, length 198 yards, containing 2178 cubic yards, at 12½ cents	272	
<i>Two Locks at Harrisburg.</i> —One lock of 7 feet lift	6,800	
One lock of 6 feet lift	6,100	
	<hr/>	15,722

SECTION No. 29.

<i>Clay.</i> —Cutting 4 feet, length 880 yards, containing 13,200 cubic yards, at 12½ cents	1,650	
Bridge at Reading turnpike	900	
Bridge at lane to brick yards	350	
<i>Back drain.</i> —Length 880 yards, containing 1700 cubic yards, at 10 cents	176	
	<hr/>	3,076

SECTION, No. 30.

<i>Clay.</i> —Cutting 3 feet, length 154 yards, containing 1694 yards cubic, at 12½ cents,	212	
Bridge at lower end of Market street, Harrisburg,	1,300	
Two culverts of 4 feet in diameter, at 300 dollars each,	600	
Embanking and puddling; length 154 yards, height 5 feet, containing 3080 yards cubic, at 25 cents,	770	
Embanking and puddling; length 572 yards, height 4 feet, containing 8008 yards, at 25 cents,	2,002	
	<hr/>	4,884

Carried forward,

\$ 296,442

Brought forward,

\$ 296,442

## SECTION, No. 31.

<i>Clay and Sand.</i> —Cutting 3 feet, length 462 containing 5082 cubic yards, at 12½ cents,	635	
Embanking and puddling 7 feet, length 318 yards, containing 10,176 cubic yards, at 25 cents,	2,544	
Bottom puddling 2 feet; length 318 yards, containing 2226 cubic yards, at 25 cents,	556	
<i>Aqueduct at Paxton creek.</i> —Aqueduct across Paxton, 3 arches of 20 feet span each, wing walls extending on each side 100 feet, whole length 280 feet,	14,500	
	<hr/>	18,235

## SECTION, No. 32.

<i>Clay and Loam.</i> —Embanking and puddling 7 feet, length 880 yards, containing 28,160 cubic yards, at 25 cents,	7,040	
Bottom puddling 2 feet, length 880 yards, containing 6160 cubic yards, at 25 cents,	1,540	
One culvert, 12 feet in diameter,	1,200	
<i>Lock at Nutz's mill.</i> —One lock of 6 feet lift,	6,100	
	<hr/>	15,880

## SECTION, No. 33.

<i>Clay and Loam.</i> —Cutting 3 feet, length 880 yards, containing 9680 cubic yards, at 12½ cents,	1,210	
<i>Back drain.</i> —Cutting 3 feet, length 880 yards, containing 1760 cubic yards, at 10 cents,	176	
One private road bridge,	350	
	<hr/>	1,736

## SECTION, No. 34.

<i>Clay.</i> —Cutting 3 feet, length 880 yards, containing 9680 cubic yards, at 12½ cents,	1,210	
<i>Back drain.</i> —Cutting 3 feet, length 880 yards, containing 1760 yards cubic, at 10 cents,	176	
	<hr/>	1,386

## SECTION, No. 35.

<i>Clay.</i> —Cutting 3 feet, length 880 yards, containing 9680 yards cubic, at 12½ cents,	1,210	
<i>Back drain.</i> —Cutting 3 feet, length 880 yards, containing 1760 yards cubic, at 10 cents,	176	
One culvert, 4 feet in diameter,	300	
<i>Bear tavern.</i> —One private road bridge,	350	
	<hr/>	2,036
	<hr/>	\$ 335,715

Brought forward,

\$ 335,715

## SECTION, No. 36.

<i>Clay and Loam.</i> —Cutting 5 feet, length 528 yards, containing 10,560 yards cubic, at 20 cents,	2,112	
Embanking 6 feet, length 352 yards, containing 8800 yards cubic, at 25 cents,	2,200	
<i>Back drain.</i> —Embanking 6 feet, length 352 yards, containing 704 yards cubic, at 10 cents,	70	
One culvert, 4 feet in diameter,	300	
	<hr/>	4,682

## SECTION, No. 37.

<i>Lime Ritz.</i> —Embanking and puddling 7 feet, length 880 yards, containing 28,160 cubic yards, at 25 cents,	7,040	
Slope walling with lime stone, 24 feet by 1584 feet—1540 perches, at one dollar,	1,540	
	<hr/>	8,580

## SECTION, No. 38.

<i>Loam.</i> —Cutting 4 feet, length 880 yards, containing 13,200 yards cubic, at 12½ cents,	1,650	
<i>Back drain.</i> —Cutting 4 feet, length 880 yards, containing 1760 yards cubic, at 10 cents,	176	
One private road bridge,	350	
	<hr/>	2,176

## SECTION No 39.

<i>Loam.</i> —Cutting 4 feet, length 880 yards, containing 13,200 yards cubic, at 12½ cts,	1,650	
<i>Backdrain.</i> —length 880 yards, containing 1,760 yards cubic, at 10 cents,	176	
	<hr/>	1,826

## SECTION, No. 40.

<i>Loam.</i> —Cutting 4 feet length, 880 yards, containing 13,200 yards cubic, at 12½ cents	1,650	
<i>Back drain.</i> —Length 880 yards, containing 1,760 yards cubic, at 10 cents,	176	
One private road bridge,	350	
<i>Aqueduct at Highspire.</i> —One aqueduct 12 feet span of arch, wing walls each 25 feet in length,	4,718	
	<hr/>	

Carried forward,

B

Brought forward,

\$ 359,873

## SECTION No. 41.

*Clay and loam.*—Cutting 7 feet, length 300 yards, containing 9,000 cubic yards, at 12½ cents,

1,125

Cutting 3 feet, length 580 yards, containing 6,380 cubic yards, at 12 1-2 cents,

798

Turnpike road bridge at Highspire,

900

*Bridge.*—Public road to Poor House,

900

3,723

## SECTION No. 42.

*Loam.*—Cutting 3 feet, length 880 yards, containing 9,680 cubic yards, at 12 1-2 cents,

1,210

One culvert 6 feet in diameter,

480

1690

## SECTION No. 43.

*Loam and clay.*—Cutting 3 feet, length 880 yards, containing 9,680 cubic yards, at 12 1-2 cents,

1,210

*Back drain.*—At Hopkin's swamp,

176

1,386

## SECTION No. 44.

*Clay and gravel.*—Cutting and embanking (sidelong) 5 feet, length 748 yards, containing 7,480 cubic yards, at 25 cents,

1,870

Grubbing and clearing,

100

Cutting 5 feet, length 132 yards, containing 2,640 cubic yards, at 12 1-2 cents,

330

2,300

## SECTION No. 45.

*Clay.*—Cutting 3 feet, length 264 yards containing 2,904 yards cubic, at 12 1-2 cents,

363

Embanking and puddling, 5 feet, length 264 yards, containing 5,280 yards cubic, at 25 cents,

1,320

Sidelong cutting and embanking length 352 yards containing 8800 yards cubic, at 25 cents,

2,200

One culvert 4 feet in diameter,

300

One private road bridge,

350

One public road bridge at turnpike,

900

5,433

## SECTION No. 46.

*Loam and gravel.*—Sidelong cutting and embanking, length 880 yards, containing 22,000 cubic yards, at 25 cents,

5,500

5,500

\$ 379,905



Brought forward,

\$ 379,205

## SECTION No. 47.

<i>Clay and gravel.</i> —Sidelong cutting and embanking, length 176 yards, containing 4,400 cubic yards, at 25 cents,	1,100	
Cutting 8 feet, length 400 yards, containing 14,400 cubic yards, at 12½ cents,	1,800	
Embanking and puddling 8 feet, length 66 yards, containing 2,640 cubic yards, at 25 cents,	660	
Cutting 4 feet, length 172 yards, containing 2,580 cubic yards, at 12½ cents,	322	
<i>Basin at Portsmouth.</i> —Cutting and embanking for basin 10 feet height, 132 yards in length, containing 3,696 cubic yards, at 25 cents,	924	
One 4 feet culvert,	300	
Grubbing and clearing,	100	
	<hr/>	5,206
<i>Locks at the Swatara.</i> —3 locks of 7 feet 6 inches lift, each \$,6,800,		20,400
		<hr/>
	Total cost,	\$405,511

Respectfully submitted,

WILLIAM STRICKLAND, *Engineer.**Harrisburg, June 12, 1826.*

## NO. 3.

*REPORT of Nathan S. Roberts, engineer, upon the location of the eastern division, as proposed by Mr. Strickland, dated the 19th of June, 1826.*

*To the honorable board of canal commissioners of the Pennsylvania canal.*

In compliance with a resolution of your board of the 19th May, 1826, I have accompanied Mr. Strickland, engineer, and viewed the line of the Pennsylvania canal, as located by him from Middletown to a point near the mouth of the Juniata.

The first consideration was the place of commencing and plan of taking out the water of the Susquehanna to supply the canal, in such a manner as should fully comply with the act of the legislature, with the least prejudice to the present or future navigation of said rivers, or giving any preference to either of the contemplated canal routes, leading up the Juniata or Susquehanna, which may hereafter be selected by the legislature of this commonwealth.

With such impressions, and from the best of these observations, the most suitable place of commencing would be on Foster's Reef, near the lower edge of Peter's Mountain, near the east shore.

The manner of conveying the water into the canal, should be according to the plan of Mr. Strickland, by a wing-dam, of suitable length and angle with the shore, to commence near the Upper Reef and at the junction of the wing-dam with the canal, a guard lock to throw off the floods and surplus waters.

From the level of low water of the river, at the upper end of the wing-dam, the canal to be so constructed as to admit at all times a column of water four and a half feet deep to the first lift lock, without depending upon any artificial dam in the Susquehanna, except the said wing-dam. The guard lock to be so located, that the canal if extended in future, may be commenced below it, and continued up the east side of the Susquehanna, or be joined to an aqueduct across the Susquehanna, in order to make a canal up the Juniata, or the west side of the Susquehanna.

The entrance of the canal thus located, would at all times ensure an abundant supply of water to feed the canal, and boats, arks and other river craft, could at all stages of the water safely approach the canal from the mouth of the Juniata or from the Susquehanna, without offering any obstructions to the present navigation of those rivers, or any impediment to their future improvement.

This plan of taking out the water and commencing the canal, seems to be safe and prudent for other reasons. If the Juniata route should be abandoned, the canal mouth is situated in the most favorable place to give that trade the greatest facility of entering the canal; and so of the Susquehanna. And if the Juniata route should be selected, and an aqueduct be constructed across the Susquehanna, the best site for constructing it appears to be from the head of the wing-dam, to a point a little above Sherman's creek, on the west side, where a moderate share of embankment would reach the sloping ground of very favorable character for a canal which extends up the Juniata. And it might be found economical even to cross the Susquehanna at this place, and then the Juniata, and up the west side of the Susquehanna, (if that route should be adopted) in preference to extending the canal up the east side along the rocks of Peter's mountain, and other difficulties of the kind, which are said to exist more abundantly on the east than on the west side of the Susquehanna.

If either of the above reasons for crossing the Susquehanna at this place should be approved hereafter, it proves an unnecessary expenditure to place the canal mouth higher up, and to supply it with water by a dam which might not be so safe or economical as commencing at Fosterr's reef, and laying out the expense of the extended canal, and of the proposed dam, in cutting down the canal to a level with the Susquehanna to the first lift lock: this would afford an ample and sure supply of water for the canal without the risk of depending upon a dam, which, at best, would be viewed as more or less an obstruction to the present mode of navigating these rivers.

From a view of the line of the canal from Peter's mountain to Harrisburg, and thence to the Swatara, it is believed that no important improvement could be made. The plans and profiles shew the cutting and embanking to be quite favorable, except passing the Kittatinny mountain, which is to be more expensive; a wall on the outside will be necessary, and the canal bank on the inside will be composed of earth brought from a distance—the adjoining excavation being mostly rock; this description of work occurs in other places. The estimated prices of the different descriptions of work and materials appear to be fair, and rather liberal than otherwise.

The place of terminating in the Swatara, by locks, as designated on the plans and profiles, is, probably, the best which can be selected.

Respectfully submitted,

NATHAN S. ROBERTS, *Engineer.*

Harrisburg, June 19th, 1826.

## NO. 4.

*Mr. Strickland's estimate of the expense of increasing the dimensions of the Eastern division, for the accommodation of the Borough of Harrisburg.*

June 19th, 1826.

SIR,

I have made a calculation of the additional cost of increasing the sectional area of the Pennsylvania Canal from Peter's mountain to Harrisburg, and find upon a supposition of the dimensions being 33 feet at bottom, 45 feet on the water line, and 5 feet 6 inches depth of water, that the extra cost will amount to about 39,700 dollars, including the formation of a basin or reservoir at the Borough, of one hundred yards in width by two hundred yards in length.

Yours very respectfully,

WILLIAM STRICKLAND.

John Sergeant, Esq. President

Board of Canal Commissioners.

## No. 5.

*Report of William Strickland, Engineer, upon the progress and present state of the work on the eastern division of the, Pennsylvania Canal, dated, Dec. 9, 1826.*

*To the Board of Pennsylvania Canal Commissioners.*  
GENTLEMEN:

I have the honor to submit to you the following report, upon the advancement of the work on the eastern division of the Pennsylvania Canal.

From the mouth of the Swatara to Peters mountain, the ground is opened, with the exception of a few short intervals, to the whole extent of the line; and for about seven and a half miles, the Canal is excavated and embanked to its full depth. The Basin at Port royal is in a state of great forwardness, and a portion of the stone for the outlet, and regulating locks is quarried, and will in a few weeks be delivered on the ground, ready for dressing during the winter.

The Basin at the borough of Harrisburg, comprizing in area about  $3\frac{1}{2}$  acres, will be finished by the 1st of January next. A great portion of the stone intended for the locks below the basin, is on the ground, and the contractors are making every exertion, in preparing the materials, for an early commencement of the stone work in the spring. The turnpike road bridge, at the entrance to the borough, is rapidly advancing; and three culverts have been built in the neighbourhood, two of which are intended to drain the water from the town into Paxton creek, and the other to pass the water of the tail race of Nut's mill stream.

Between Harrisburg and Stony creek, about  $2\frac{1}{2}$  miles of the canal is excavated, together with two lock-pits, the one near Updegrove's, and the other at Stony creek. The guard wall round the upper part of Kittatinny mountain, is founded from the narrows to Armstrong's tavern, a distance of about 1600 feet; and in many places it is carried up to the height of ten feet above the bed of the river.

Between Stony creek and Peters' mountain, about three fourths of a mile of the canal immediately above the creek, is excavated to the bottom, and two of the culverts are completely finished.

At Short mountain, about 2000 feet of the guard wall are founded in the bed of the river, and nearly one third of this distance it is carried up to the height of seven feet. The excavation of the canal at this point is proportionably advanced; and between Short and Peters' mountains, a small portion of the ground is broken to the depth of four feet.

The whole amount of excavation and embankment up to this date, is upwards of 260,000 cubic yards, and the stone work laid in the walls round the two mountains, equals 10,000 perches.

As far as the excavation has progressed upon the several levels of the line, the ground has been found to possess the best qualities for the formation of a substantial work, both as to tenacity and compactness of soil; and I have every reason to believe, that little difficulty will be experienced in completing the whole line in the course of the ensuing year.

There is, however, one portion of the upper level of the canal, which seems to me to invite the renewed consideration of the board. It will be remembered that the part of the line upon which the water is to be taken from the river Susquehanna, was, after an examination of the ground, determined on

differently from what I had proposed. I am aware of the delicacy of soliciting a revisal of this determination; but the observations of the year have presented some facts which the commissioners could not have been before aware of.

The upper level of the canal, as now located, commences at lower Foster's falls, where it is proposed to sink the bottom of the canal about five feet below the lowest water surface of the river Susquehanna. The shore at this point is very rocky, and continues so for a considerable distance below the falls, where a strip of alluvial bottom land commences, and extends as far down as Short mountain, a distance of about two miles — below Short mountain, another flat of the same extent continues to the first lock near Stony creek, where the level ends.

From an examination of the upper part of this level, where the cutting will be from 10 to 14 feet in depth, I find strong indications of rock and slate at the depth of 7 or 8 feet below the surface, which may be observed by the inspection of the shore of the river near to which the canal is situated; and from the fact, that in excavating this portion of the line immediately below Clarks creek, the workmen have already come to solid rock, about four feet above the level of the bottom of the canal, and for nearly a quarter of a mile in extent.

From the lowness of the level, it will be difficult to pass Clark's creek with an aqueduct, and leave a water way more than four feet below the bottom of the canal, for the discharge of this stream, without subjecting the mill and grounds above to overflow and damage in time of heavy freshets.

It is obviously necessary that the water of the river, at Foster's falls, or at any other point from whence the canal is to be supplied, should never be suffered to become lower than the level of the water line of the canal. This can only be effected upon the present plan, by sinking the bottom of the canal into rock from two to three feet *below* the bed of the river for nearly a mile, and thereby entering upon rock excavation for that and very probably for a much greater distance.

From observations which have been made upon the river, at Foster's falls and Clarks ferry, the water for at least four months past, has been so low that a boat drawing two feet water could not possibly reach the proposed point of entrance to the upper level of the canal; and upon this account, mainly, I am induced to recommend the construction of a low dam, at a point, say at upper Foster's falls, where a pool of slack water may be easily made to back into the mouth of the Juniata, and thereby afford an opportunity for boats to enter and pass from the mouth of the canal at all times. The dam may be formed simply of rubble stones, thrown into the openings of the reef, which extends diagonally across the Susquehanna, at a small distance below Clark's ferry; and a passage of sufficient width may be left open, on a line with the present channel, near the shore, for the navigation of the river. This will enable me to take advantage of the falls below the mouth of the canal, by raising the

level five feet, which is sufficiently elevated to avoid the rock excavation above mentioned; and also to pass Clark's creek free from danger by floods.

The above facts and observations which have come under my notice upon this level of the canal, induce me to recommend to you the propriety and expediency of raising it to the original plane, or nearly so, which may be easily effected by means of a low dam, without the least obstruction to the navigation of the river.

The haste with which I have been required to furnish this report, will be my apology for its imperfections.

Respectfully submitted,

WILLIAM STRICKLAND, *Engineer*  
Philadelphia, December 9th. 1826.

## NO. 6.

*Estimate of the probable cost of completing the Eastern division of the Pennsylvania Canal, by William Strickland, Engineer.*

To WILLIAM DARLINGTON, Esq.

President Board of Penn'a Canal Commissioners.

SIR:

The following is an estimate of the probable cost of completing the Eastern division of the Pennsylvania Canal, viz:

Thirteen miles of canal including embankment and rock excavation	\$51,000
Two out-let locks at Port Royal, each 9 feet lift	80,000
One regulating lock at eastern basin	5,000
Six locks of 6 and 7 feet lift	48,000
One guard lock	10,000
Six culverts	2,400
Forty-two bridges, average each \$500	21,000
Six aqueducts, average each \$8000	48,000

## WALL SECTIONS.

Dam across the Susquehanna river	12,000
Guard Wall at Peter's mountain	22,000
Do. at Short mountain	18,000
Do. at Kittatinny, including turnpike road	30,000
Do. at Lime Kiln, including turnpike road	8,000
Lock keepers' houses	5,000
	<hr/>
	\$296,400

Respectfully submitted,

WILLIAM STRICKLAND, *Engineer.*  
Philadelphia, December 11th, 1826.

## No. 7.

*Copy of a letter from Canvass White, engineer, containing his views, as to the best mode of crossing the Susquehanna, at the mouth of Juniata; and as to the present location of the upper level of the eastern division, dated October 18, 1826.*

*Troy, October 18, 1826.*

*Hon. John Sergeant,*

DEAR SIR—After a careful examination of the ground in the vicinity of the mouth of Juniata river, with a view to crossing the Susquehanna, with the contemplated canal, by an aqueduct, I came to the conclusion that a dam would be preferable. And in order to make a connection with the canal now constructing, the dam should be built above the mouth of the Juniata, and join the lower corner of Duncan's island. The distance on the opposite shore of the Susquehanna to the guard lock will be about one mile. This connection from the dam can be made by a low embankment, covered or paved with stone, and allow the floods to pass over it. The tow path to be on the shore. The dam would not interfere with the navigation of the Susquehanna, for it would not require to be raised more than three feet above common low water, and may be provided with shoots, for the passage of arks, &c. during the low state of the water, and when not sufficiently high to admit of a passage over any part of it, which I think could be done whenever the river was in a condition for rafting. In order to make a connection with the Juniata, a dam should be constructed across the river at the head of Duncan's island, sufficiently high to pass from the river into the pond. This dam might probably be four or five feet in height. The Juniata canal will be taken into Duncan's island, and lock down into the pond. A law has been passed authorising the construction of a bridge from Duncan's island over the Susquehanna, and if built will afford a tow path to pass the river, which would make the passage very safe. By this plan, the passage of the Susquehanna can be effected with a small expense, when compared to the construction of an aqueduct, and taking all things into consideration, much safer.

I would further recommend that a change should be made in the canal, as now laid out, and under contract. From the commencement of the canal to the first lock, the level should be raised to correspond with the height of the dam across the river, perhaps five or six feet, which would increase the lift of the lock, which I understand is now five feet, say to eleven. This will not be objectionable, because the lockage water is taken immediately from the river; but on the other hand, considerable expense will be saved, in the construction of that part of the work, by reducing the deep cutting excavation of rock, &c. and give more room for the passage of floods under the aqueduct, at Stoney creek, or the creek above the first lock. The alteration will be of great importance to the trade of the Juniata, if the canal is not made at present. The guard lock will be made as now located, but need not be sunk so



deep, and will save the excavation in proportion to the height raised. My health has not improved since I saw you, but am more feeble; you will therefore excuse any imperfection in the description of what I wish to represent for the consideration of the board of commissioners.

Yours very respectfully,  
CANVASS WHITE.

## NO 9.

*Further report of Charles Mowry, Esq. acting commissioner, upon contracts made by him for work upon the eastern division of the Pennsylvania canal, dated September 6, 1826.*

### PENNSYLVANIA CANAL OFFICE,

*Harrisburg, September 6, 1826.*

The acting commissioner of the eastern section of the Pennsylvania canal begs leave to make a further report to the board under their resolution of 29th June last. That on the 3d day of August, 1826, he entered into contract, in writing, with Trueman Beecher, Ithamer Spink, Nathan W. Watson and Peter Bowen, to build and construct, in a workman like and substantial manner, agreeably to the direction of the engineer, the aqueduct across Paxton creek, on section No. 31, at the rate of three dollars and twenty-five cents for each and every perch of mason work.

On the first day of September, 1826, he contracted, in writing, with William Anderson, James M'Namee, Samuel Lind and Charles Quin, to construct the banks of the Harrisburg basin, in section 28, at the rate of ten cents per cubic yard, to be measured in the banks, and to be completed by the first day of June, 1827.

And on the 5th day of September inst. he contracted with Isaac M'Cord, to build and construct "in a good substantial and workman like manner," two culverts, one on section 11, and the othe on section 12, at the rate of two dollars and seventy-five cents a perch for the mason work. Payments to be made in the same manner on all the foregoing work as is expressed, in the printed articles for excavation and stone work; and that one copy of each contract, thus made, has been duly deposited in the office of the state treasurer, agreeably to law.

All of which is respectfully submitted.

C. MOWRY,  
*Acting canal commissioner.*



## Act 1

**In compliance  
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No. of Section.



## NO. 10.

*General report of Charels Mowry, Esq. Acting Commissioner upon the progress and situation of the Eastern Division of the Pennsylvania Canal—dated December 2, 1826.*

PENNSYLVANIA CANAL OFFICE,

HARRISBURG, DECEMBER 2, 1826,

*To the Board of Canal Commissioners.*

GENTLEMEN :

The Acting Commissioner on the Eastern division of the Pennsylvania Canal, begs leave to report a summary statement of the progress and present situation of the work, and other matters connected therewith, so far as his supervision extends.

A detailed statement, in tabular form, exhibiting the time, manner and terms of the first lettings on this Division, as well as a subsequent one, of the letting of the Harrisburg Basin—two Culverts on the 11th and 12th sections, and one contract for the excavation on the 31st, and another for that on the 40th section, have already been reported to the Board. Since the latter report was submitted, the 5th, 6th, 16th, 17th, 18th, 20th, 21st, and 23d sections have been re let, they having been either actually abandoned, or so far neglected, by the original contractors, as, in the opinion of the Acting Commissioners and Engineer, to amount to a virtual abandonment. Two locks at Harrisburg have also been re let, the original contractors having placed such a construction on the terms of the contract as was never intended by the Acting Commissioner, and such an one as he could never tolerate. They had never, however, commenced the work. Four of the sections that have been re-let, were contracted for at an advanced price: the other four are at the same rates as the original contracts were. They are now all in progress and in good hands. The Harrisburg locks are also in good hands, and considerable progress has been made in getting materials on the ground for their construction.

Under a resolution of the last meeting of the Board, 44 Bridges have been located on this division of the canal, and contracts entered into, with security for their completion by the 4th of July next.

These contracts have been deposited in the office of the state treasurer, and copies made and preserved for the use of the Board, a detailed statement of which, marked A, is herewith presented. The Bridge at Harrisburg, No 23, as may be seen on examination, is an exception out of the general mass of bridges, as to price and time of execution. It was thought best to have that erected this fall, and the contract had to be made at some disadvantage, to insure the speedy execution of the work, it being then late in the season. The abutments and wing-walls are completed, with the exception of coping, which is ready on the ground. The wood-work will be put on in a few days; the embankments are making; and the Bridge will be fit for use in a couple of weeks.

With respect to the progress of the work generally, statement B will show it in detail. By that it will be seen, that the whole excavation of common earth, on this division, is 211,857 cubic yards—of clay 19,234 cubic yards; of rock 4,203; of slate, 5,135 cubic yards. There are of embankment, 56,649 cubic yards—of puddling 1,187 cubic yards; of wall 10,712 perches; and of grubbing to the amount of \$1,867 85. The only section which has been completed is No. 33, two miles below Harrisburg, made by Michael Holman, of Thompsonstown, Mifflin county. Several others are nearly completed, and would be done in a few weeks, if it were thought proper to take them off the hands of the contractors at this late season of the year. Five culverts have been completed, in a workmanlike and very substantial manner—two by Mr. M'Cord, of Harrisburg; one by Mr. Pettit, at present of the same place; and two by Messrs. Miller and List, Germans, under the direction of Dr. Beaumont. The two last mentioned, have not been taken off the hands of the contractors, in consequence of the sickness of Judge Rawle, the assistant engineer. This accounts for the apparent discrepancy in two items in the statement, on section 30, in the names of "Samuel Pettit" and "List & co." where the payments exceed 1900 dollars, and the estimates only amount to \$175. The full estimate would probably bring us in debt to the amount of from 500 to 1000 dollars. The whole amount, of estimates thus exhibited, is \$46,517 15—the money actually paid on them \$39,581 58—\$7,135 55 being retained, agreeably to contract, as security for the completion of the work.

By the best information we could procure, there were, at the time of paying the last estimates, 917 hands employed on the work. It is believed, however, that as many hands are employed in procuring materials, which have not been reported, as would swell the number to more than one thousand. All the contractors propose going on with the work, as long as the weather will permit.

A petition accompanies the documents herewith presented, marked C. from A. L. Beaumont, O. H. Dibble, and D. Iano and Canfield, contractors on very heavy sections, at a very low rate, praying for a relaxation of the rule, retaining 20 per cent. on those wall sections, and desiring that henceforward 5 per cent. only shall be retained on the wall sections, which they have in hand. I do not think the request an unreasonable one, when we consider that the per-centage already retained, on Dibble's work, amounts to more than 1100 dollars, and that on Beaumont's, to nearly 800 dollars—probably if the latter had received a second estimate, his per-centage would have amounted to as much as the others.

#### DAMAGES.

This is a subject that demands the serious attention of the board. Five suits only have been commenced on this division of the work.

In all these, verdicts were obtained against the commonwealth. The following table will shew at one view, the state of those suits.

<i>Names of the claimants</i>	<i>Dates of the inquisitions.</i>	<i>Distance cut thro' the pre-mises.</i>	<i>Quantity of ground taken.</i>	<i>Damages awarded.</i>
Abraham Bumbaugh,	1826, Sept. 21,	53 rods,	1 acre, 153 per.	\$250
Abraham Witzel,	25,	36 1-10,	2 acres, 1 per.	1000
Richard Trewig,	October 5,	75	3 acres,	701 17
David Hummel,	6,	94	50 per.	515
Jeremiah Reese,*	7,	250 ft.	53 per.	305 66

\* This is a life estate.

The injustice of this mode of settling damages, is so glaringly exhibited in these suits, that I am persuaded nothing more need be urged to impress the board with the absolute necessity of endeavoring to procure some legislative enactment on the subject, at as early a day as possible.

Messrs. Fisher and Douglass were employed, as counsel to attend to all cases of this kind that might occur on the division. One hundred dollars each were paid them, as retaining fees, previously to holding the inquisitions; and on the 21st November, \$100 each, in addition, were paid them, on account of arguing damage cases in the court of common pleas of Dauphin county. The arguments have not yet taken place, nor will they till my return. In case these inquisitions should be confirmed in the common pleas, it is the intention, should it meet the views of the board, to carry them up to the supreme court for revision.

Under the authority given to compromise for damages, a few agreements have been made, and are submitted to the board. These I approach with some delicacy, but not without a full impression, that their confirmation would operate decidedly for the interest of the state.

The first is an agreement with Jacob Hise and John Lauman, (marked D.) accompanied with a diagram. It is for a triangular lot, which is nearly all destroyed by the construction of the canal. Its contents are one acre and one eighth. The land cost eighty dollars about two years ago, and they had constructed a board fence around it, which cost them about as much more money. The agreement is to give them \$180 for the lot. The part of the fence which has been taken down, I have sold for \$20 53 cents. That part which remains, with the ground, may, perhaps, sell for 50 or 60 dollars, or perhaps more; so that the ultimate cost to the state, for about one acre of land of first quality, in the fork of two public roads, in the suburbs of the town of Harrisburg, will, in this case, scarcely exceed one hundred dollars.

The next agreement, and the most important one, is with George Parson, (marked E,) also accompanied with a diagram. The situation of this tract was rather peculiar, and attracted the attention

of general Lacock, when at Harrisburg, last summer. The whole tract contains eleven acres within a few perches. The distance cut through it by the canal, is within a fraction of a perch of a quarter of a mile. It was in a high state of cultivation, and was very productive, within three-fourths of a mile of the borough of Harrisburg, with a house and barn on it, which could not be built for less than one thousand or twelve hundred dollars. The canal takes nearly four acres of the choicest part of the land, including the garden and several fruit trees. The house and barn are both cut off from all the land that is left, the towing path of the canal running immediately under the overshoot of the barn, and grazing the walls of the house. The agreement is to give him two thousand dollars for the whole property. From the sad experience we have had in jury trials, I had, and still have, no doubt he would have obtained a verdict for at least three-fourths of that sum, very probably the whole of it, leaving him the balance of the property. It was the advice of Messrs. Fisher and Douglass to close with this offer. I have no doubt the property may be disposed of, however, as it is, for half the sum it cost, and perhaps more. Certainly if water power could be connected with it, it might turn out an advantageous bargain; for there is 4 feet fall on the property, from the water line of the canal. I have been offered fifty dollars for the rent of it next year, as it stands.

The next and last agreement, for land, is with Peter Brenner, for a lot of seven acres, marked F with a diagram. About four acres of this lot, next the river, will be cut off, and the owner deprived of the use of it, unless a bridge were built for his accommodation alone. This would cost not less than four or five hundred dollars, upon the plan of constructing farm bridges upon this division. For this lot entire, and the land which the canal will take in passing through another lot belonging to said Brenner, containing nine acres, adjoining the upper side of the next plantation, the agreement is to give \$775. The land is of the best quality, in a high state of cultivation, immediately on the turnpike, about three miles from Harrisburg. The balance of the lot, over and above what the canal will occupy, I think may be disposed of to the owner of the next plantation above, to advantage. This arrangement, I apprehend, will be several hundred dollars cheaper to the state, than to build a bridge and pay damages for the injury done to these lots. The most extravagant agreement, in proportion to its magnitude, in my opinion, is that marked G. which is for a barn that belonged to George Parson; and yet it was made under circumstances of perfect justification, as I humbly conceive, and such as induce me to recommend its confirmation. The barn stood in the immediate track of the canal; it was a mere shell, to be sure, but must be considered of some value to the owner. Mr. Parson came to me and offered to leave the valuation to two carpenters, who, if they should not be able to agree in opinion, should be authorised to call in a third one. It did appear to me most proper and equitable, that the barn should be valued before it

was torn down, and the men had dug the canal entirely up to the threshold. He proposed to me to name a man, and I did so—he named another, and I agreed to him. They were both carpenters, respectable in standing, and one of them concerned in the lumber business. They viewed the barn, and reported without calling a third man \$225. I was quite disappointed at the amount, and did not fail to let them know that I thought the award an extravagant one. But I had agreed to submit it to their judgments, and I disdained to fly from my agreement, more particularly as I had seen nothing unfair in Mr. Parson's transaction. I consider the sum nearly double the value of the barn; but still it is not a very heavy concern, and all circumstances considered, I think best to stand by the award, and hope the board will confirm it; particularly as I have no hope that a jury in this part of the country would reduce the amount. I sold the barn to Dr. Reily, for \$34 60, and he has had it taken down and removed. This was more than I could get any one else to offer for it.

A small stable stood in the track of the canal, on the estate of Peter Wenrich, deceased. By an agreement with the administrators, I had it taken down and put up in a different place, to suit them. This cost \$23 50. On the 19th section, the canal passes over a conveyance of spring water which supplies a fountain pump, in a tavern yard. It was conducted through bored logs, which were nearly new. I procured 85 feet of copper pipe, to pass the water under the canal, which cost \$29. This satisfied Mr. Boyer, the proprietor, on this score. I paid Christian Petrie \$25, for about two acres of corn crop, destroyed by the canal, on the 4th section, he being a renter; and I paid William Grimshaw, Esq. \$20, for injury done to his crop of corn by cattle and hogs, in consequence of tearing down fence, on the 32d section. His family being sick, and his wife dying about the time, prevented his paying the proper attention to the crop, when exposed by the canal men; and myself not knowing the fact of exposure at the time, I thought it just to remunerate him for his loss occasioned by the work, under such afflicting circumstances. I also paid William Dotts, for destruction of his garden truck, on the property of Jeremiah Reece, ten dollars. Dotts is the tenant of Jeremiah Reece, who brought a suit for his life estate in this property.

Archibald M'Allister, Esq. made considerable objection to the breaking of his ground until he should be first satisfied. He asked \$40,000 for all the injury that might be done to his mill, meadow, and other property; or he would convey the whole property to the state for that sum, as he considered it would be entirely ruined by the canal. He finally said, however, as the mill would not be disturbed this season, if I would give him \$400 an acre for what meadow ground the canal might occupy, the work might go on. I did tell him, that I would agree to give him \$100 an acre, subject to the approbation of the board. He refused to accept this offer, and the work was commenced

without further opposition. Some days after, he called at the canal office, and desired me to advance him 400 dollars, on account of the damages, stating that he had been so unfortunate as to lose that sum, in bank notes, out of his pocket, a few days before. I told him that was not in my power, for I had no authority to pay money, even where I entered into an agreement for land damages, until that agreement should be confirmed by the board; and I shewed him a copy of the resolution on that subject, which seemed to convince, but not to perfectly satisfy him. A few days after, he sent me a letter, a copy of which, and the answer, are herewith submitted, marked H.

These, with a couple of small items of money paid for removing fences on the Parson farm, and the Hise and Lowman lot, to the amount of about 16 dollars, constitute the history of damage operations on the eastern division, so far. The board will take such order on the whole as they may think proper. Before I quit this part of the subject, I will offer one suggestion. In case the board should confirm land contracts which I have made, will it not fall to the legal portion of the board to devise a method by which conveyances can be taken for the land, so that the surplus may be disposed of, and the title pass again?

Some time after the wall was commenced at the Kittatinny mountain, on the 14th section, I received a letter from Col. John M'Meens, and Samuel H. Wilson, Esq. two of the Susquehanna river commissioners, relative to the obstruction of a boat channel, at that place. A copy of that letter, and the answer, were immediately communicated to the president of the board; and I presume remain on file in the Philadelphia canal office. By inquiry, I learned that this channel was essential to the ascending navigation when the river was high. I therefore directed a new channel to be made immediately outside the wall. After considerable progress had been made in this work, I received another letter from the same gentlemen, a copy of which together with the answer, are submitted, marked I.

The work done on the new channel, cost one hundred and sixty-one dollars. The river rose before it was quite completed as it was intended it should be; but boats go up this channel in the present stage of water, and it is believed by many to be better in its present state than the old one.

A communication from John Taylor, Esq. formerly a member of the legislature from Indiana county, with an accompanying document, is submitted, marked K. It speaks for itself and needs no explanation from me.

There is one subject which I wish to press upon the attention of the board: that is, with regard to fences. It will be necessary to make fences to protect the banks of the canal, most of the way. It appears to me, also, to be due, in justice to the farmers, to save them the expense of fencing, where the state has created the necessity of a fence to protect their crops. I believe good policy would dictate, that the board should either provide for making fences, or appropriate a certain amount per pannel, or



No

Pennsy's Office, November  
Commissioner document A.

Ex		
	g ic Re	Grubbing.
At th mate engine d the		At the estimate of the engineer do. do. dr

**TABULAR STATEMENT** *the amount*  
*number of prisoners*

No. of Section.	CONTR.	GR.
4	O. H. Dibble and Reuben	RCH. DOX
5	John Murphy and Philip	
5	Anderson, M'Namee &	
6	Robert and George Orr,	
6	Isaac M'Cord, (successor)	
8 & 9	O. H. Dibble,	178
10	George Barger, original	0
11	Ross and M'Fadden,	12
11	Ditto, (original)	
	M'Cord, (culvert), and	

for  
or

rod, where the farmer has made, or will make, a good substantial fence in its proper place. I should think the acting commissioners ought, respectively, to be authorised to contract for making fences, whenever necessary, all along the line, immediately, in order that the materials might be prepared during the winter. I also wish the board to give me some instructions with regard to the further payment of counsel in damage suits. I have so far been guided entirely, in this respect, by the suggestions of the counsel themselves. My desire was to have every legal attention paid to the subject; and to have the whole force of their minds exercised on the arguments before the court of common pleas, which will take place under the immediate eye of the legislature. I, therefore, thought it unwise to attempt to chaffer with them.

For the further satisfaction of the board, I, in conclusion offer a statement of my entire cash receipts, and payments marked L.

All which is respectfully submitted,

C. MOWRY, *Acting Canal Commissioner,*

*E. Division, Pennsylvania Canal.*

## NO. 13.

*Copy of a correspondence between the commissioners for improving the navigation of the Susquehanna, and Charles Mowry, Esq., acting canal commissioner, referred to in Mr. Mowry's report (No. 10,) as document I.*

DEAR SIR—

As the season is very far advancing, that work on the Susquehanna can be done, we are desirous to know, what measures you have taken, if any, to have the obstruction removed, occasioned by the location of the canal at Hunter's falls. We have received a number of letters and certificates from experienced watermen, in which they state, that it will be impossible to ascend the river at that point, unless the obstruction is removed, which makes it actually necessary that, before the opening of the spring, the navigation should be made as good as it was.

Your answer will be expected immediately.

Yours respectfully

(Signed,)

JOHN M'MEENS,  
SAMUEL H. WILSON.

*Charles Mowry, Esq.*

*Copy of Mr. Mowry's letter in answer to the foregoing.*

*Harrisburg, October 18, 1826.*

GENTLEMEN—

Your letter of last evening, I received late last night. Waiving all question, as to the accountability of the canal commissioners, to the river commissioners, in the discharge of the duties assigned them, I will only state, that I am persuaded, had the "experienced watermen," been as free in furnishing you with letters and certificates of the measures taken to remove the obstructions to the navigation at Hunter's falls, by the canal commissioners, as they have been in complaining of obstructions, you might have been saved the trouble of your letter; or had you mentioned the subject verbally to me, when I was the other day in company with you both, it might have answered the same purpose. It must be notorious to every observer who travels the turnpike, that the rock near Armstrong's, has been, or is in the progress of being, blasted away on the outside of the wall, in such a manner as will render the ascending navigation in high water, better than it ever was, and in low water, that channel could never be used by boats.

It is singular, that while you are burthened with complaints on this subject, the canal commissioners have never heard a murmur. It appears to me their applications have been misdirected. That, however, cannot be your fault. It is undoubtedly the wish of the Board, to cherish the most friendly feelings with the river commissioners, and they are not ignorant, that if they find it necessary in the prosecution of their work, to destroy a navigable channel in the Susquehanna, they are bound by law to make as good an one. If the law were not such, their sense of justice and their regard for the interests of the inhabitants on the waters of that river, would induce them to do it.

While I undertake to assert this as the sense and sentiment of the board, I must beg leave to state, that I am not clothed with plenary powers, to negotiate with the river commissioners, on this subject—if they were the proper authority to call us to account; nor do I see the necessity of keeping up a formal correspondence in the case.

Very respectfully, &c  
(Signed)

CHARLES MOWRY,

*Acting canal commissioner,  
Eastern Division.*

*John M Means and Samuel H. Wilson, Esquires,  
Commissioners for improving the Susquehanna.*

## No. 14.

*Exhibit of the state of the Acting Commissioner's office, for the Eastern Division of the Pennsylvania canal, on the 2d day of December, 1826, referred to in Mr. Mowry's report, (No. 10) as document L.*

*State of the Acting Commissioner's Office, Eastern Division, Pennsylvania canal, Harrisburg, December 2d, 1826, inclusive.*

## DR.

Cash on hand		\$ 743 67
Cost of canal		46,517 13
Damages paid	\$128 50	
Off, for a barn, boards, posts, &c. sold	55 13	
	<hr/>	68 37
Engineering expenses		2,554 18
Contingent expenses,		848 69½
Surveying fund:		
Paid to Judge Geddes,	\$ 25	
William Wilson, Esq.	150	
	<hr/>	175 00
Charles Mowry, A. C. on account		204 59
William Strickland, engineer, on account,		2,000 00
F. W. Rawle, assistant engineer, on account,		600 62½
W. Groves, superintendent of masonry, on account,		175 00
Dr. L. Reily, for a barn,		34 60
J. G. Osler, for boards and posts,		16 39
D. N. L. Reutter, for boards,		4 14
John Steinman, on account of procuring releases from freeholders,		193 25
S. Pettit, on culvert and bridge,		1,546 00
List and co. on small culvert and bridge,		200 00
		<hr/>
		<u>\$55,881 55</u>

## CR.

Commonwealth of Pennsylvania

\$47,000 00

## CONTRACTORS.

## SECTIONS.

O. H. Dibble	4	\$15 14
Murphy & Cawl	5	123 44
Anderson, M'Namee & co.	5	227 38
Isaac M'Cord	6	121 84
O. H. Dibble	8 and 9	1,167 17
John Ryon	10	298 89
Ross & M'Fadden	11	122 47
Hammill & M'Cord	12	513 65
C. Gleim	13	148 76
Hodge & Guy	13	18 00
Beaumont & co.	14	778 56

Corbett & Hays	16	\$ 61 20
Hays & Williams	17	80 78
J. Lafferty	18	15 19
Hodge & Guy	18	152 87
Midler & co.	19	440 05
U. Wickware	20	27 76
M'Laughlin & Bradley	22	105 00
O. Hartwell	23	137 43
E O Friel	23	334 56
Midler & co.	24	194 24
Beaumont & co.	26	82 40
Midler & co.	27	298 63
Anderson. M'Namee & co.	28	374 40
W. & M Byrne and Alex'r & Paul Provost,	28	155 15
Milder & co.	29	139 42
Ditto,	29	412 07
Bracket, Watson, Bowen & Co,	31	313 14
Beaumont & co. excavation	32	196 85
ditto lock	32	8 62
ditto culvert	32	81 94
ditto aqueduct	32	5 50
Leslig & Ely	34	181 10
Hodge & Johnson	35	60 66
S. Scovell	36	132 60
M'Laughlin & Bradley	38	196 72
Philip Smith	39	154 56
Beaumont & co.	41	70 18
Hodge & Johnson	42	111 09
F. Gallagher's estate	43	63 04
M'Vay & Gallagher,	46	94 34
Milder & co.	45	268 09
Beaumont & co.	47	150 17
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		\$ 55,881 55
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## No. 15.

*Copy of a letter from Nathan S. Roberts, engineer, to the secretary of the board, containing a report of his proceedings, up to the 26th April, 1826.*

*Pittsburg 26 April, 1826.*

SIR—Agreeably to my instructions, I arrived at this place, on the 14th, and was joined by Mr. Harris three days after. I had made all necessary preparations, and on the 19th, commenced; having previously examined both sides of the river some distance up.

From these observations, and in pursuance of the literal meaning of my instructions, I proceeded to examine the east side of the Allegheny, and it appeared to me, that the interest of the state and of this city, would be best promoted by commencing at the foot of Liberty street, in the Monongahela river. Liberty street leads

into Factory street, and both run nearly parallel to the Allegheny, a little above high water mark, and are 82 feet wide. By such arrangement, no private property is molested, and the line of canal would be most beautiful. With this in view, I commenced the level at the Monongahela (surface of water) at the foot of Liberty street, and rose gradually 30 feet, in the first half mile; which can easily be divided into 5 separate locks, of 6 feet each, (the lock in the river is not included.) This level was carried two miles, to the Lawrence inn, where 2 locks, of 8 feet lift, each, can be located 10 chains apart; and the upper level will pass handsomely in front of the United States' Arsenal, with 5 feet cutting. This level suits the ground for some miles up, remarkably, and it is continued up to Mechanicsburg, and appears to be very suitable, at that place, where I left the party yesterday, at 3, P. M. with proper directions to proceed on, &c.

Sir—Your's of the 8th, 13th and 15th of April, instant, are received—your's of the 8th, seems to require me to make return of a part of the line, before the whole is located. This is very correct; but it is first necessary to ascertain the practicability of constructing the canal on the east side of the Allegheny; and if so, to establish the proper levels, and then proceed to a particular location—all which shall receive my utmost attention. My instructions leave every thing undetermined, as to the canal line between the city of Pittsburg and the Kiskeminetas. And as this side has never been examined, I could not be excused from examining it first, as it was strongly urged, that it was practicable at a reasonable expense. On examination, I find the five first miles very favorable; the ground is even and the soil close and impervious to water, and the location will be very natural, and would please almost every interested person. The distance passes through the principal settlements. The next mile and a half is very good for a canal, but is timber land and rather deeper cutting than the first. This reaches to the banks of the river, where they are nearly perpendicular, from 50 to 70 feet high, for one and a fourth miles. This is to be cut down on an average of 20 feet, composed of earth and rock. The canal when made, will be safe but expensive. Passing this, the ground is more sloping, but is mostly composed of very irregular masses of earth, which has anciently slipped from the hills above;—the quality of the soil is gravelly clay. In those places where the hills have not slipped, they are very steep. The line is laid a suitable distance from the margin of the river, but in many places it would be liable to be filled up by slips from the hills above, which are in many places, where the line is laid, as steep as the banks of a canal. This ground extends four miles and nearly to Mechanicsburg; and although a canal can be made on it at great expense, still it would be liable to be much injured and filled up by slips from the hills above it. I have reason to believe the ground is still more unfavorable a few miles above Mechanicsburg. The west side of the river appears far more favorable. I should like to be informed, whether my present instructions warrant me to examine the west

side of the Allegheny river, to a point below Freeport, then cross with an aqueduct up the east side, to Kiskeminetas, having due regard to my instructions, as to passing up the Allegheny or up the Kiskeminetas.

Sir—I shall return up the west side of the river, to-morrow, and join my party, and proceed and continue to take the levels up to Kiskeminetas, and thence up to the proper place for taking out Kiskeminetas feeder, in order to a proper location of the upper levels of the canal.

In the mean time, I desire you to communicate this to Mr. Sergeant and Dr. Patterson, or the board of commissioners; and such instructions and directions, as they are pleased to give, you will have the goodness to communicate with but little delay.

I remain with great respect,

And esteem, your's,

NATHAN S. ROBERTS,

Engineer, Western Section,

Pennsylvania Canal.

Joseph M<sup>r</sup> Ilvain, Esquire,

Sec'y Board Canal Com'rs.

## NO 16.

*Copy of a letter from Nathan S. Roberts, Engineer, to the Secretary of the Board, dated April 30, 1826, containing a report and estimate of the first 17 miles up the Allegheny river, on the eastern side.*

AT COL. LOGANS,

*Allegheny River, 17 miles above Pittsburg,*

*April 30, 1826.*

SIR—

The following is an estimate of the expense of constructing the canal from Pittsburg to this place, on the east side of the river, From the Monongahela at foot of Liberty street, and thence through Liberty and Factory-streets, to station No. 1. Character, loam, clay and small stone.

104 chains, average 5 feet cutting, including 4 lock pits 34,528 cubic yards, at 10 cents,	\$3,452 80
4 locks of 7 feet lift each 28 feet, at \$750	21,000 00
1 lock in the river, lift about 0 feet (cannot be ascertained till the water is at its lowest.)	10,000 00

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\$34,452 80

From station No. 1, to No. 54, passing Lawrenceville and United States arsenal, 324 chains, old improved ground, sandy, loam and clay, very few stone, 4 feet cutting.

Excavation 74,868 yards, at 8 cents,	5,949 44
Embankment 13,060 yards, 12½ cents,	1,632 50
2 culverts 260 perches of masonry, at 2 50,	500 00

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\$ 8,231 94



From station, No. 54, to 62, woodland, to commencement of steep rock, 48 chains—soil, loam and clay; some large stone; average cutting 5 feet.

5 acres grubbing, at 75 dols. per acre,	\$375
20,784 yards excavation, at 10 cents,	2,078 40
3,000 yards embankment, at 10 cents,	300
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	\$2,753 40

From 62 to 78, a long steep perpendicular rock, and across ravine of Nigley's run, 96 chains, rock and earth cutting, and a heavy wall against the river, 25 feet high.

Clearing and grubbing preparatory, 9 acres, at 50 dollars,	450
ft.      ft.      ch.	

Wall $25 \times 7 \times 3 \div 2 \times 96 = 48,000$ perches,	
at 75 cents,	36,000

Sand and slate rock blown off, av : $30 \times 15 \times 90$ ch = 99,900 yards, at 30 cents,	29,700
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Earth slope above the rock, 45,000 yards, at 10 cents,	4,500
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do. for puddling and lining canal 45,000 yards, at 20 cents,	9,000
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Culvert at Nigley's run, 250 perches, at 2 dollars and 50 cents,	625
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Embankment do. 13,000 yards, at $12\frac{1}{2}$ cents,	1,875
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From 78 at Nigley's run, to the rock above Plumb creek.)	\$ 82,150
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From 78 to No. 161 above Plumb creek—ground very irregular—mostly old slips—some very steep hills and deep cutting—soil, clay mixed with stone.

498 chains, average 8 feet cutting & cleared land grubbing 30 acres, at 20 dollars,	\$1,000 00
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Excavation 389,436 yards, at 14 cents, (including loose rock.)	54,521 04
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Embankment 81,000 yards, at 12 1-2 cents,	10,125 00
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5 culverts and aqueducts, (all small.)	4,625 00
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\$70,271 04

From station 161 to No. 177 along the Bluffs or narrows between Plumb creek and Col. Logan's, many places perpendicular and the whole nearly so. The rock to be cut down and (slate wall built in the river, at foot of rocks, and the canal made as at the rock below Nigley's run above described.

96 chains grubbing, clearing preparatory, 10 acres, at 50 dollars,	\$ 500 00
Cutting down rock to form bed for canal, 46,848 yards, at 30 cents,	14,054 40
Wall in edge of river against the rock, 26,880 perches, at 75 cents,	20,160 00
Earth excavation, side of rocks, 30,000 yards, at 10 cents,	3,000 00
Earth clay for lining canal (with puddle,) 45,000 yards, at 50 cents,	22,500 00
The lining clay must be brought half a mile.	
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	\$ 60,214 40.

From station No. 177 to No. 204, along the narrows, the canal runs close to the margin of the river bank, which is sandy loam, and some fragments of rock slipped with the earth from the hills, the bottom for the above distance is on an average about 1 chain wide, to the high hills.

162 chains grubbing, &c. heavy timber 16.2 acres, at 80 dollars,	1,296 00
Wall on the edge of river, on the rock bed, 5 by 2 and 10 feet high, to top of water floods, 22,680 perches, at 60 cents,	13,608 00
Excavation (average 10 feet cutting,) 170,162 yds. at 12½ cents, including loose rock,	21,270 25
	<hr/>
	\$ 36,174 25

From 204 to 227, on the narrow bottom below and above Colonel Logan's, to the south bank of Poketo's creek—soil, sandy loam—good excavating—some loose rocks at lower end—light grubbing and fields with none.

138 chains, average cutting 4 feet	
Grubbing 13.8 acres, at 40 dollars,	552 00
Excavating 45,816 yards, at 9 cents,	4,128 94
One lock, 8 feet, at \$750 per foot,	6,000 00
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	\$ 10,675 94

### ABSTRACT.

104 chains	\$ 34,452 80
324	8,231 94
48	2,758 40
96 first narrows	81,150 00
498 ch.	70,271 04
96 ch. second narrows,	60,214 40
162	36,174 25
138 to Poketos creek	10,675 94
	<hr/>
1466 = 18 m. 26 ch.	\$ 304,923 77
	<hr/>
Per mile.	\$16,640 00

From Poketos creek, for 8 miles up, the ground is favourable, though some deep cutting must be encountered, high gravelly bank, (levelled yesterday.) then a third rocky hill, will drive the canal again in the river; said to be not quite so bad, as those passed below. In order to save walling in height, as low a level, as would answer is brought, to near this place. The next rocky narrow, will regulate, where the locks should be. This line, thus far, embraces an unusual share of difficulties; but I am of opinion, it could be completed for the above estimates. The opposite side, has many advantages over this, but an aqueduct across the Allegheny, would go far, toward equalizing the two sides. On the west side, but a little of the canal would be in the river, though it has more culverts, aqueducts and embankments.

Thirteen miles yet to Kiskeminetas, said to be as difficult, as any part, or nearly so. I wish all the instructions and assistance, the board are willing to give, to enable me to go on with the work to their approbation.

Sir—I am of opinion the line is much more difficult than is supposed by the board, and for that reason, I wish them to take the responsibility of deciding where the canal shall commence, on the east or west side of the Allegheny, at Pittsburg, and that of course would decide the question of crossing the Allegheny, at least once; and that is said to be about 4 miles below the mouth of Kiskeminetas. If these points, were decided, I would soon commence a permanent location. I wish this communicated to the board, and to Mr. Strickland, (with the approbation of the board, his opinion, as to passing the rocks, &c.) and such opinion, or decision, as they give, I shall most promptly follow. The examination will be pressed on to the Kiskeminetas, unless I receive orders to commence locating.

Respectfully submitted,

I am, Sir, with due respect, your's,

NATHAN S. ROBERTS,

*Engineer Pennsylvania Canal.*

### No. 17.

*Copy of the report of Nathan S. Roberts, engineer, upon the survey and location of the western division of the Pennsylvania Canal, with estimates of the expense of constructing the same, on the eastern and western sides of the Allegheny river respectively, dated May 18, 1826.*

*Pittsburg, 18th May, 1826.*

Sir—

Inclosed is an estimate of the expense of constructing the canal from this city to the mouth of the Kiskeminetas, on each side of the Allegheny river, with my opinion of the practicability of each. I have been so constantly with the party on the ground, (the necessity and propriety of which you will readily perceive,)

that the estimates, without plans or maps, have been all that I could attend to in so short a time. We have located a line of nearly thirty miles on each side of the river, and have had some bad weather; but we stopped very little on that account. I am now ready, as soon as a decision is made upon the side of the river to be preferred, to commence a permanent location of the canal at any point directed, which I shall promptly attend to on receiving proper notice of such decision. I shall then prepare the canal line for contractors, accompanied with sectional descriptions, and maps and profiles of each.

I shall locate a line from the proposed place of crossing the Allegheny up the northerly side of the Kiskeminetas, until the practicability of using that river for a feeder, or a canal, or both, upon the level I have assumed, is pretty fully ascertained; estimates and descriptions of which may be expected as soon as time will permit. In the mean time, I should be pleased to receive further instructions in regard to locating the canal from this or any other point. I shall be absent on the feeder eight or ten days, and then return to this city, in hopes to receive your instructions. The surveys we have made are committed to paper by rough plans and profiles of the ground; but as topographical surveys have heretofore been made, I have thought, under present circumstances, these need not be copied, only as a permanent location is made, unless the board, or yourself, should direct or advise the same. From one to two miles of the canal line can be properly laid out per day, having the present survey and plans and profiles to guide us.

With respect to the cost of the two sides of the river, the estimates show the difference. The board are fully competent to make a correct opinion respecting the impression to be given to the canal policy and to public opinion, by a favorable or unfavorable expenditure of the funds of the present year. The preference to be given to the two sides, as such preference, or decision, would operate upon the great internal improvements now in contemplation, the canal board of commissioners are highly competent to decide. As this place is to this canal, as Buffalo and Black Rock is to the Erie canal, I have thought that a good improvement might be made by a dam, and steam boat lock, across the Ohio, a short distance, (perhaps half a mile,) below the junction, so as to give a sufficient and permanent depth of water, to all the docks and wharves around this city, and which would extend above the U. S. arsenal. Such a dam might be built on a rock bottom, and would be low and perfectly safe. This is only an opinion, by the bye, not having a thorough knowledge of the propriety of such a measure.

Mr. Enoch, a member of the board of canal commissioners, will leave here to-day for Harrisburg, by whom I take the liberty to send the enclosed communications to you. Any communications and instructions which you are authorised to communicate

in this business, I hope will be attended to, and sent forward as soon as may be thought necessary and proper, and the same shall be promptly and cheerfully attended to on my part.

I remain, sir, with due deference and respect,

Your obedient servant,

NATHAN S. ROBERTS.

Eng'r Penn'a Canal.

JOSEPH McILVAINE, Esq.

Sec'y of the Board of Canal Com'rs  
of the state of Pennsylvania.

*Postscript.* It is thought proper to remark, that if the Kiskeminetas is crossed by an aqueduct, to bring the canal to the east side of the Allegheny, the expense of such an aqueduct would be as much as for the one across the Allegheny, as the width of the rivers is nearly equal, viz.

Width of Allegheny,	787
do. Kiskeminetas,	733

Respectfully submitted,

N. S. ROBERTS, Eng'r, &c.

JOSEPH McILVAINE, Esq.

Secretary, &c. &c.

The expense of constructing the Pennsylvania Canal, from the city of Pittsburg to the mouth of the Kiskeminetas river, is estimated as follows, to wit: First, on the east side of the Allegheny, without crossing, beginning at the Monongahela, at the foot of Liberty street, thence along Liberty and Furlong streets, through the city, to station, No. 1, one hundred and four chains, excavation, loam and clay, and moving paving stone.

Average cutting 5 feet, including lock-pits	34,528	
yards. at 12½		\$4,316
L. 28 feet, 4 locks 7 feet each, 28 feet lockage, at		
750 per foot lift		21,600
L. 10 feet, 1 lock 10 feet in river, 10 feet lockage		
at 1000		10,000

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\$35,916 00

From station No. 1 to No. 54, excavation very easy, clay and sandy loam, part along ridges and in meadows and fields, average cutting 4 feet, 324 chains cleared land.

Excavation 74,568 yards, at 7 cents		5205 76
Embankment near the Lawrence Inn, 8060 yards,		
at 12½		1007 50
Culvert near	do. 130 perches	
at \$2 50		325
Embankment near Po's brook, 5000 yards, at 12½		625
Culvert near	do. 130 perches at \$2 50	325

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\$7,488 26

From station No. 54 to 62 woodland soil, loamy, some stone, average cutting 5 feet—along edge of steep bank, &c. 48 chains, grubbing 5 acres, heavy, at 75 dollars per acre 375  
Excavation 20784 yards, at 10 cents 2078  
In a ravine embankment 5000 yards, at 10 cents 500

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82,753 00

From No. 62 to No 78, over Nigley's Run, to the bank above, along high and steep bank, part earth, then rock, rising from 30 to 40 feet above level of canal, and perpendicular to the edge of Allegheny River, in high water. The margin of the canal bank to be supported against the floods, &c. of the Allegheny, by a strong stone wall 25 feet high.

Ninety-six chains of wall, containing 48,000 perches, at 75 cents 36000  
Cutting down rock on 90 chs., 99,000 yards at 30 cents 29,700  
Cutting slope of bank above rock, 45,000 yards, at 10 cents 4,500  
Lining the canal with puddled clay, 45,000 yards at 20 cents 9,000  
Grubbing preparatory to the above, 9 acres, at 50 dollars per acre 450  
Culvert at Nigley's run, 250 perches at \$2 50 625  
Embankment at do. 15,000 yards, at 12½ cents 1875

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882,150 00

From station No. 78 to No. 161, near the Bluff's above Plum creek, this line runs along the narrow belt of land between the river and the foot of the steep hill for three fourths of the above distance; ground very irregular, and steep as the canal banks in many places, mostly ancient or modern slips from the steep acclivities above; soil, clay, mixed with stone, water fight earth, this distance will average eight feet cutting:—498 chains

Grubbing (part cleared) 50 acres, at 20 dollars 1000  
Excavation 589,436 yards, at 14 cents 54,521 4  
Culvert at Osburn's run, 250 perches, at \$2 50 625  
Embankment do. 14,000 yards 12½ 1,750  
Culvert at Sandy creek, 300 perches \$2 50 750  
Embankment at do. 18000 yards. at 12½ cents 2250  
Culvert at Ryan's run, 250 perches, at 2 50 625  
Embankment at do. 15,000 at 12½ 2,250  
Culvert at Quigley's run, 250 perches, at \$2 50 625  
Embankment do. 14000 yards, at 12½ cents 1750  
Aqueduct at Plum creek, 2 arches, small 2000  
Embankment do 20,000 yards, at 12½ cents 2 00

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70,271 04

From station No. 161 to station No. 177, along the Bluff between Plum creek and Col. Logan's, most part of the way, the

banks are of earth, 30 to 40 feet above level, and as steep as it can stand ; then bare slate rock perpendicular and nearly so. In one place we were 211 feet above the water of the Alleghany, and as near as we could carry the line, for the perpendicular rocks below are washed by the river.

96 chains, grubbing, &c. preparatory, 10 acres, at 50 dollars	500
Slate rock to be cut down, 46,848 yards, at 50 cts.	14,054 40
Wall to protect banks, 26,880 perches. at 75 cents	20,160
Excavating earth slopes, 30,000 yards, at 10 cents	33,000
Lining the canal with puddled clay, which will be brought from the distance of half a mile, or thereabouts, 45,000 yards, at 50 cents	22,500
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	\$60,214 40

From No. 177 to No. 204, between the narrows and Bluff's last mentioned, and Col. Logan's, the bottom in many places narrower than the canal, and hill very steep, some slips, soil sandy loam, with large rocks—soil sandy loam.

152 chains—grubbing and clearing necessary, 162 acres, at 80 dollars (heavy)	1296
Walling to top water line of river, 22,680 perches. at 60 cents	13,608
Excavation, including loose large rock, 170,162 yards at 12½ cents	21,270
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	\$36,174 25

From No. 204 to No. 227. This is on ground tolerably favourable, situated above the last mentioned narrows, and passing Col. Logan's to the north bank of Poketo's run, soil sandy loam, easy excavating, some rock near lower end—average excavating four feet.

138 chains—grubbing 13.8 acres, at \$40	552
Excavating 45,816 yards, at 9 cents	4,123 94
L. 8 F.—One lock 8 feet lift, at \$750 per foot rise	6,000
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	\$10,675 94

From 227 to 247, across the flat of Poketos creek, then old fields and light grubbing—soil sandy loam—good digging.

124 chains, grubbing six acres, at 50 dollars per acre,	300
Embankment at creek, 36,984 yards, at 12½ cents,	4,623
Aqueduct at Poketos creek,	1,500
Excavation, 31,872 yards, at 7 cents,	2,231 04
L. 8 feet—one lock, eight feet lift, at 750 dolls.	6,000
	<hr/>
	14,654 04

From No. 247 to 306. This line runs along a very high and steep bank, thence along the face of a very steep rocky hill—great part to be walled to sustain the bank from running into the

**Allegheny.** This line crosses Chartier's creek, to O'Donnell's flat.

354 chains, grubbing 65 acres, at 50 dolls.	1,750
Average 20 feet excavation, rocky, 1,003,590 yards, at 14 cents,	140,502 60
Protecting wall, 4 by 10 feet high, 56,640 perches, at 75 cents,	42,480
Culvert at Chartier's creek, 300 perches, at 2 dolls. 50 cts.	750
Embankment at Chartier's creek, 2009 yards, at 12½ cents,	2,500

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\$ 187,982 60

306 to 360. From the lower end of O'Donnells flats, to the upper part of Mr. M'Kane's farm, is a succession of narrow bottoms, some rocky and steep slips—soil, loam and sandy—passing several salt wells.

324 chains, grubbing (mostly woods,) 32 acres, at 70 dolls.	2,240
Excavation, (average 6 feet,) part rock, 175,608 yards, at 13 cents,	22,829
L. 5 feet. Lock near O'Donnells, 5 feet, at 750 dolls. per foot,	3,750
Culvert, small, amount,	250

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\$29,069

From 360 (Gen. Lacock's crossing place,) to 370, near Mr. King's, opposite Freeport; soil, sandy loam; favorable; grubbing light.

60 chains, grubbing and chopping, preparatory, 6 acres, at 40 dollars,	240
58 chains, excavation, 25,114 yards, at 8 cents,	2,009 12
2 chains embankment, 5,512 yards, at 10 cents,	556 02
Culvert,	250
L. 8 feet, one lock, (near 360) 8 feet, at 750 dollars per foot,	6,000

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\$9,045 32

Total lift, 67 feet. Rise of aqueduct not included fully, on the east side.

From 370 to 382, passing Freeport. This line commences, by running along a very steep side hill, then along a side hill encumbered with a covering of large rocks, disengaged from the cliffs above—soil, loam and clay—very difficult, as the hill opposite Freeport, seems to project into the river, and shews indications to slip, if molested.

72 chains, grubbing, (woods) 7 acres, at 80 dolls.	560
Excavation and moving rock, 204,120 yards, at 25 cents,	51,030
Wall, 20 chains, 10 by 4, 3,200 perches, at 75 cents,	2,400

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\$ 59,990



From 382 to 391, near the south or left bank of the Kiskeminetas river—ground favorable, being along the foot of a hill, through an old improvement, to the bank of said creek.

57 chains, grubbing, 5 acres, (heavy) at 75 dolls.	375
Excavation, 18,924 yards, at 8 cents,	1,513 92
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	\$ 1,888 92
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*Recapitulation—East Side.*

From the Monongahela to No. 1, 104 chains,	\$35,316
From No. 1. by the arsenal, to No 54, 324 ch.	7,488 26
From No. 54, the beginning of Rocks, to No. 62, 48 ch.	2,753 40
From No. 62, along the Steep Rocks, to No. 78.	82,150
From No. 78, along bottoms very narrow, passing Mechanicsburg, to narrows, above Plum creek, to No. 161, 498 chains,	70,271 04
From No. 161, along the Bluffs, to No. 177, 96 ch.	60,214 40
From No. 177, along narrows, below colonel Logan's, to No. 204, 162 ch.	36,174 25
From No. 204, passing by colonel Logan's, to No. 227, 138 ch.	10,675 94
From No. 227, by Poketps creek, to No. 247, 120 ch.	14,654 04
From No. 247, along the Bluffs, to No. 306, 354 ch.	187,932 60
From No. 306, along narrow bottom, proposed crossing place, to No. 360, 524 ch.	29,069.
From No. 360, above M'Kane's, to No. 370, 60 ch.	9,055 32
From No. 370, passing by Freeport, to No. 382, 72 ch.	53,999
From No. 382, to the Kiskeminetas, to No. 391, 57 ch.	1,888 92
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To the above amount, add for contingencies, superintendence, &c.	60,168 34
	<hr/>
Amount,	\$661,851 48

Total length of canal, 30 miles, 53 chains.

This side of the river is very unfavorable for a canal. It made it would be at great expense, and would be annually exposed to the floods and ice of the river, and to the slips from the hills. It is almost impracticable.

The expense of constructing the Pennsylvania Canal, from the city of Pittsburg, to the mouth of the river Kiskeminetas, by crossing the Allegheny river, above the mouth of the Kiskeminetas, and following down the westerly side of the Allegheny, and locking into that river, near the centre of the city of Pittsburg—calculated as follows, viz.

From scite of aqueduct at Kiskeminetas, to Buffalo creek, inclusive, at the lower end of the town of Freeport, to station 20.

120 chains.—Grubbing 3 acres, at \$50,	\$150
Excavation, average 5 feet, very favorable, 51,960 yards, at 8 cents,	4,156 80
Embankment, several places, 15,000 yards, at 10 cents,	1,500
Aqueduct over Buffalo creek, 250 feet in length,	25,000
L. 10 feet.—10 feet lockage, in village of Freeport,	7,500
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	38,606 80

From No. 20 to No. 47, along the bottom, to beginning of Narrows, and through them, first part embankment, then fine excavation,

162 chains.—Grubbing 16 2-10 acres, at 50,	810
Embankment, 2000 yards, at 12½ cents,	2,500
Excavation, 70,579 yards, at 10 cents,	7057 90
Large loose rock, good for building aqueduct, &c. 17,600 yards, at 60 cents,	10,560
	<hr/>
	20,927 90

From No. 47, to No. 57, along high gravelly bank, favorable.

60 chains.—Grubbing 6 acres, at \$75,	4,00
Excavation, average 7 feet, 39,480 yards, at 8 cents,	3,158 40
Embanking at Small brook, 6045 yards, at 12½ cents,	755 62
	<hr/>
	4,364 02

From No. 57 to No. 70. This runs on very good ground.

78 chains.—Grubbing 8 acres, at \$50,	450
Excavation, average 4 feet, 25,896 yards, at 8 cents,	2,071 68
Embankment, favorable, 6000 yards, at 10 cents,	600
	<hr/>
	3,071 68

From No. 70 to 83, part swamp. This line runs through an old field and meadow, then an alder swamp; soil, loam and soft clay.

78 chains.—Grubbing 6 acres, at \$50, thick alder and ash swamp,	300
Excavation, av. 5 feet, 33,774 yards, at 11 cents,	3,725 40
	<hr/>
	4,025 40

From No. 83 to No. 96. This line runs along gentle slope of a hill.

Soil, loam, grubbing heavy, few stone.	
78 chains, grubbing 8 acres, at 80 dollars	\$640
Excavation, average 4 feet, 25,896 yards, at 11 cents,	350 64
	<hr/>
	\$2,970 64

From No. 96 to 109, including 2 locks, ground very favourable.

78 chains, grubbing, (mostly cleared land) for the whole,

100

Excavation, average 4 feet, including lock-pits, 25,896 yards, at 7 cents,

1,812 72

16 feet lockage in 2 locks, 8 feet each, 750 dollars per foot,

12,000

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\$13,912 72

From No. 109 to 122. This line includes Bull creek, which will be passed by a culvert of 20 feet chord, ground is very favourable, for a canal; soil, gravelly, loam and clay.

78 chains, grubbing, (across Nigley's farm,)

100

Excavation, average  $3\frac{1}{2}$  feet, 22,152 yards, at 7 cents,

1,550 64

Embankment and loose rock, at Bulls creek, 11,634 yards, at 10 cents,

1,162 40

Culvert over Bull creek, 375 perches, at 2 dollars and 75 cents,

1,031 25

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\$3,844 29

From No. 122 to 135, to Crawford's. This line is on very favourable ground, a long bottom nearly all cleared.

78 chains, grubbing, &c.

100

Embankment at Onion run, 8,768 yards, at 10 cents,

876 80

Excavation, average  $3\frac{1}{2}$  feet, 19,880 yards, at 7 cents,

1,391 60

Culvert, at Onion run, 4 feet, semi-circle,

350,

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\$2,718 40

From No. 135 to No. 146, at narrow, above Mr. Keene's. This line is along the foot of a gentle slope; good soil; free of stone; partly cleared; large timber standing.

66 chains, grubbing, 6 acres, at 30 dollars per acre,

180

Excavation, average,  $3\frac{1}{2}$  feet, 17,982 yards, at 8 cents.

1,431 36

Embankment, 2,652 yards, at 10 cents,

265 20

Culvert, at Cole run, small,

200

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\$2,076 56

From No. 146 to 159, along narrows. This line runs in or very near the road, along the slope of the hill, and about one chain from the river; loose rocks in some places, but is practicable for a canal; soil, loam and slate:

78 chains, grubbing 3 acres, at 50 dollars,	400
Excavation, average 7 feet, including loose rock	
49,324 yards, at 12½ cents,	6,165 50

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86,565 50

From 159 to 172, along road and foot of hill of Mr. Keene's north line; ground favorable, some places embankment from back side, &c.

78 chains; grubbing 6 acres, at 40 dollars	320
Excavation, average 4 feet, 24,236 yards, at 10 cents,	2,423 60
Embankment over creek, 12,595 yards, at 10 cents,	1,259 50
Six feet culvert,	500

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84,503 10

From 172 to 188, (across M'Keene's lands,) second bottom, nearly all cleared.

96 chains, grubbing 3 acres at 40 dollars.	120
Excavation, average 3 feet, 22,134 yards, at 7 cents.	1,549 38
Embankment, 3000 yards, at 10 cents:	300

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81,969 38

From 188 to 202. On this line are two ravines to fill up. The ground is easy to excavate, and good for a canal.

84 chains, grubbing on the whole, equal,	150
Excavation on 60 chains, average 5 feet, 25,980 yards, at 7 cents,	1,818 60
Embankment near Romalee's, 18 chains, 55,922 yards, at 11 cents,	6,591 42
do. near Pillar's, on 6 chains, 21,684 yards, at 11 cents,	2587 24
Two culverts, six feet semi-circle; each 500 dolls.	1,000

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811,947 26

From station, 202 to 214, Mr. Enoch and Denny's lands, ground remarkably favourable; soil, loam and small gravel.

72 chains, grubbing light, 3 acres, 20 dollars,	60
69 chains. Excavation, 29,946 yards, at 7 cents	2,096 22
3 chains. Embankment, 5,325 yards, at 11 cents,	585 75

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82,741 97

From No. 214 to 228. This line runs on Harmar Denny's land. Soil, favourable for a canal, second bottom, one lock included.

84 chains, grubbing light; say,	50
Excavation, average 4 feet, 27,972 yards, at 7 cents,	1,958 04
L. 8 feet above Deer creek, at 750 dollars per foot lift,	6,000

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88,008 04

From No. 228 to No. 240. This line crosses Deer creek, and runs along the slope of a hill, favourable to the commencement of narrows.

72 chains—Grubbing the whole, 5 acres, at \$40	200
60 chains—Excavation average 6 feet, 32,520 yds. at 8 cents	2,601 60
Embankment over Deer creek, 54,156 yards, at 12½ cents	6,769 50
Aqueduct over do two arches, 20 feet span	9,500

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\$19,071 10

From 240 to 262. This embraces all the narrows at this place; there is width enough in all places to make the canal with a wall in some places—soil, loam and clay, large block of rock, in some places good for use.

13½ chains—Grubbing 15 acres, at \$50	750
Excavation, average 8 feet, 101,660 yards, at 13 cents	13,215 80
Embankment at Power's run, 10,208 yards, at 13 cents	1,327 4
Removing rock, blowing, &c. 4,500 yards, at 50 cents	2,250
Wall half a mile, 10 by 3, 4,800 perches, at 75 cents	3,600

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\$21,142 84

From No. 262 to No. 275. This line runs on very favourable ground, from near Jessup's tavern, down to Cooley's, nearly all improved land.

78 chains—grubbing, whole	100
Excavation, 25,964 yards, at 7 cents	1,817 48

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\$1917 48

From 275 to 292. This line runs on the edge of a hill, and swamp, and crosses Squaw run, by an embankment and culvert and terminates in a side hill.

90 chains—grubbing 6 acres, at \$40	240
78 chains—excavation, 24,804 yards, at 7 cents	1,984 32
12 chains—embankment Squaw run, 45,108 yards, at 11 cents	4,961 88
Culvert 8 feet, semi-circle	450

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\$7,636 20

From No. 290 to No. 304, to ravine in Mr. Ross's land; fine land for a canal, being gravelly loam, easily excavated.

84 chains—grubbing, 4 acres, along ridge, at \$50	200
Excavation, 23,655 yards, at 7 cents	1,655 85
Embankment, 2,264 yards, at 10 cents	226 40
Culvert	250

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\$ 2,332 25

From No. 304 to 317, good ground for canal, sandy loam and mixed with clay, grubbing light.

78 chains—grubbing	50
Excavation, including some embankment. 42,354 yards, at 10 cents	4,235 40
	<hr/> 4285 40

From No. 317 to 330. (From this point an aqueduct might be carried above the floods, across the Allegheny.) This line is very favourable to a canal.

78 chains—Grubbing, 3 acres, at \$50	150
Excavation, 28,342 yards, at 8 cents	2,267 36
Embankment at Zutrey's run, 3,288 yards, at 10 cents	328 80
Culvert, 4 feet	300
	<hr/> 3,046 16

From 330 to 346. This line runs along the Peninsula of Pine creek, which it crosses by an aqueduct and embankment, and ends in front of Mr. Buffington's tavern—favourable.

96 chains—Grubbing, 12 acres, at \$80 [heavy]	960
90 chains—Excavation, 39,060 yards, including 2 lock-pits, at 9 cents	3515 40
Embankment, 5,000 yards, western to side	725
6 chains—Embankment over Pine creek, 25,230 yards, at 12½ cents	3,153 73
Aqueduct, 2 arches, 20 feet span	9,000
L. 16 feet, 2 locks, 8 feet each, 16 feet, at \$750	12,000
	<hr/> 29,354 1

From 346 to 360. This line ends a little below Gurtie's run. The ground is practicable and safe for a canal, but the turnpike road must be moved up the hill.

84 chains—Grubbing 8 acres, at \$40	320
Excavation, 53,956 yards, at 14 cents	7,553 84
Embankment, at Gurtie's run, 11,624 yards, at 14 cents	1,627 36
Culvert, 3 feet span	500
	<hr/> 10,001 20

From No. 360 to 375. This line runs along the narrows, and will occupy, in some places, the scite of the turnpike road; a part of Mr. Miller's salt works, and several other buildings, of no great value, will be to move.

90 chains.—Grubbing 5 acres, at \$40,	200
Excavation, 59,220 yards, at 14 cents,	8,290 80
	<hr/> 8,190 80

From No. S75 to No. S90. This line runs on very favorable ground, at the foot of the slope, below the turnpike road, and a good distance from the river. It passes Saw-mill run, with a culvert, and embankments.

90 chains.—Grubbing, &c. 3 acres, at 30 dolls.	90
Excavation, 25,655 yards, at 7 cents,	1,655 85
Embankment, Saw-mill run, 7 chains, 16 feet, below,	
19,472 yards, at 11 cents	2,141 92
Culvert, eight feet, semi-circle.	500

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4,387 77

From No. S90 to No. S94. This line is to terminate in a large basin, from whence to lock into the river, at nearly right angles with the course of the Allegheny river. This scite is very favorable for such a purpose, and the ground is dug out for brick, and is of little use for any other purpose.

24 chains.—All cleared land, a little above the common floods of the river.

Excavation, 7,992 yards, including 8 lock pits, at 7 cts.	559 44
L. 7 F.—Lock 7 feet lift, (near S90,) at \$7 50 per foot,	5,230

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\$5,809 44

From No. S94, to No. S97. This line locks out of the south west corner of the basin, and three locks, of 7 feet lift each, separated sufficiently to save water, are placed in a distance of twelve chains, which terminates at four or five feet of water, in the Allegheny, between the centre and upper part of the city of Pittsburg.

12 chains from basin to river, bearing a little down stream.

Excavation, and lock pits, 16,188 yards, at 12½ cents,	2,023 50
L. 21 F.—3 locks, 21 feet, at \$7 50 per foot,	15,750
Add for last lock foundation, and landing up,	2,000

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\$19,773 50

Total, 78 feet from top of aqueduct, at Kiskeminetas, to bottom of river, at Pittsburg.

#### RECAPITULATION—WEST SIDE.

From bench mark, at Kiskeminetas, to station			
No 20, 120 chains.			\$ 38,306 80
From No. 20 to 47 below narrows	162 chs.		20,927 90
From 47 to 57 high cutting	60		4,364 02
From 57 to 70 by Mr. Kane's	78		3,071 68
From 70 to 83 part fields, part swamp	78		4,025 40
From 83 to 96 good line—wood	78		2,970 64
From 96 to 109 and two locks	78		13,912 72
From 109 to 122 crossing Bull creek	78		3,844 29
From 122 to 135 to Crawford's brook	78		2,718 40

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Carried forward,

\$94,141 85

Brought forward,				294,141	85
From	135 to 146	to narrow abv. Keen's	66 chs.	2,076	56
From	146 to 159	narrows	78	6,65	50
From	159 to 172	past narrows	78	4,503	10
From	172 to 188	across Keene's land	96	1,969	38
From	188 to 202	Rymall & Pillar	84	11,947	26
From	202 to 214	Enoch & Denny	72	2,741	97
From	214 to 228	good line	84	8,008	04
From	228 to 240	crossing Deer creek	72	19,971	10
From	240 to 262	narrows	132	21,142	84
From	262 to 275	pass Boyd's inn	78	1,917	48
From	275 to 290	{ side of hill, swamp } { cross Squaw run }	90	7,636	20
From	290 to 304	Mr. Ross' land	84	2,332	25
From	304 to 317	Ross & O'Harra	78	4,285	40
From	317 to 330	bottom above Pine ck.	78	3,046	16
From	330 to 346	crossing Pine creek	96	29,354	15
From	346 to 360	Buffingtons to Gurties	84	10,001	20
From	360 to 375	along T. P. road	90	8,490	80
From	375 to 390	crossing Saw mill run	90	4,307	77
From	390 to 394	to entrance of basin	24	5,809	44
From	394 to 397	from the basin to the			
	Allegheny river, in front of the city of				
	Pittsburg,				
	Add for contingencies, superintendence, &c.				
				19,773	50
				26,920	19

**Total cost,                    \$ 96,122 14**

**Total length of canal, west side, 29 miles and 59 chains.**

This side of the river has a great share of favorable ground for a canal, and has a great number of fine spring brooks. The canal, when made, would be very safe from the floods of the river, and slips of the hills.

The width of the Kiskeminetas, where it could be crossed, is	ft. in. 733
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Average depth of water, 5d May, 1825, 4 6

Same day—width of Allegheny above Kiskeminetas, 788

Average depth of water, 7 8

Width of the Allegheny, half a mile below Freeport, 900

**Average depth not taken.**

An aqueduct could be carried over the Allegheny, 15 chains above the Kiskeminetas, with but very little embankment on either side, above the bed of said river, elevated.

The highest flood marks known, are above bottom of river.

So that the bottom of the aqueduct would be above the floods of the Allegheny,

If the Kiskeminetas can be brought on this aqueduct, so high, which will be ascertained in a few days, I believe it the best place



for crossing of any yet noticed. I have made some slight calculations upon the cost of such an aqueduct, and believe it would cost from 130,000 to 150,000 dollars, probably less than either. The Rochester aqueduct, 814 feet long, of expensive workmanship, cost but about 87 or 90,000 dollars. The plan of commencing the canal at Pittsburg, on either side, would, in my opinion, afford as many advantages to the city and adjacent country, as any which could be selected. If on the west side, the canal could pass handsomely out of the basin, down the Ohio, or from Kiskeminetas up either side of the Allegheny, &c. The size of the canal, and of the aqueducts, are calculated, the same as the size of the Ohio or New York canals; and as this western country is so near the vicinity of those canals, connected by navigable rivers already, perhaps it would be prudent to make our locks of the same size of theirs, so as to admit their boats, which carry about forty tons. The difference of expense, between twenty and forty tons, transported in boats, or of the expense of constructing suitable locks, is but little.

The above estimates are respectfully submitted.

NATHAN S. ROBERTS, *Engineer,*  
*Pennsylvania Canal.*

Joseph M'Ilvain, *Esquire, Secretary*  
*Board Canal Commissioners, Penna. Canal.*

## NO. 18.

*An estimate of the expense of that portion of the western division, below Pine creek, by crossing the Allegheny, from the west to the east side, and thence on the east side, to terminate in the Allegheny, at the lower end of Washington street, in the city of Pittsburg. By N. S. Roberts, engineer, May 31, 1826.*

From station No. 331, to No. 340. This line is along the slope of a bank; near the top, there are some trees to grub, the excavation sandy loam and clay.

Distance, 54 chains, grubbing and clearing preparatory,	\$100
4 feet average excavation, 17,982 yards, at 7 cents,	1,186

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1,288

From station No. 340 to 352, west of Mr. Poe's orchard. This line is on very favorable ground, composed of loam and clay soil, being mostly plough fields, with a very gentle slope towards the Allegheny, and terminates at the head of a lock.

Distance, 72 chains, grubbing, &c. preparatory,	50
Average, 4 feet excavation, 23,376 yards, at 7 cents,	1,678 32
Lock of 8 feet lift, at \$7 50 per foot,	6,000

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7,728 32

From station No. 352, to No. 364, passing the United States arsenal. This is very favorable ground, though some embankment and deeper cutting, is met with, viz.

Distance, 66 chains, grubbing, &c.	50
do, 6 50, average excavation, 39,600 yards, at 8 cents,	3,168
Distance $\frac{6}{8}$ , embankment, at Poe's run, 13 feet below bottom, 18 780 yards, at 12 $\frac{1}{2}$ cents,	2,347 50
Culvert, at Poe's run, 6 feet semi-circle,	325
	<hr/>
	\$5,890 50

From station No. 364 to No. 374, passing valley of Two mile run  
Distance, 60 chains, of which 8 chains, is embankment, average, 10 feet below, 22,600 yards, at 12 $\frac{1}{2}$  cents,

Culvert for Two mile run, 6 feet semi-circle,	325
Of the above, 52 chains is excavation, average 3 feet cutting, 12,420 yards, at 7 cents,	869 96
Lock of 7 feet lift, at 7 50 dolls. per foot,	5,250
	<hr/>
	\$ 9,209 96

From station, No. 374 to 391, near Washington-street, in the city of Pittsburg. This line is on very favorable ground, near the foot of a hill along the flat or bottom—old fields, and soil, loam and clay.

At commencement, a lock of 8 feet lift, at 750 dollars per foot,	6,000
Distance, 102 chains, average cutting 3 feet, excavation 24,276 yards, at 7 cents,	1,699 32
4 chains, from 391 to the Allegheny river, to 4 feet of water, 12 feet average cutting, 5,396 yards, at 12 $\frac{1}{2}$ cents,	674 50
Two locks 11 feet each, at 750 dollar per foot,	16,500
Add for lock in Allegheny river	2,000
To the above, add for contingencies, superintendence, &c 10 per cent.	5,105 06
	<hr/>
	\$6,155 66

These expenses do not embrace the road and farm-bridges, and the removing of roads and of buildings, which although the amount will not be great, yet it will be necessary to incur the expense.

Very respectfully submitted.

NATHAN S. ROBERTS, *Engineer.*

*Pennsylvania Canal*

*from Pittsburg to Kiskeminetaw.*

31st May, 1826.

Joseph M'Ilvaine, *Esq. Secretary of the Board  
of Canal Commissioners of the Pennsylvania Canal.*

## NO. 19.

*Joint Report of Major Douglass and William Strickland, upon the location of the western division of the Pennsylvania Canal, as proposed by Mr. Roberts, dated Aug. 9, 1826.*

*To John Sergeant Esq. President  
of the Board of Canal commissioners.*

SIR—

In obedience to the requisition of the board, we have had under consideration, the subject of the canal routes along the shores of the Allegheny, from the city of Pittsburg to the mouth of the Kiskiminetas, and from the cursory examination we have made on the ground, together with the reports and estimates of the engineer, we concur in offering the following remarks.

The questions, to which we have particularly directed our attention are

1. Whether the route on the eastern side of the river, is within reasonable limits, practicable?
2. What are the comparative advantages of the western side?
3. Whether a safe and durable aqueduct can be constructed across the bed of the Allegheny? And
4. The ratio in point of expense, which such a work in connection with the route, on the western side, would probably bear to that on the eastern?

1. As to the practicability of the route on the eastern shore, it requires but little observation to perceive that the route on the eastern side, is attended with very considerable difficulty.—The bold and precipitous bluffs which present themselves at several points, and which constitute in all, not less than four or five miles of the distance, would without doubt require extraordinary labor, and expense in the construction of a canal line upon this shore.

It deserves to be remarked, however, on the other hand, that the prevailing rock of these bluffs is a very soft, friable schist, approaching decomposition, and therefore easily excavated. That the stuff from the excavation, can always be removed with little or no labour; and that generally, the *embankment* is capable of being combined in a very economical manner, with the excavation to form the width of the canal.—In cases where revetment walls would be necessary, the material is frequently furnished by the excavation itself; and when this is not the case, the river affords a very easy and cheap mode of transporting it from the neighbouring quarries.

Under all these circumstances, and from having observed portions of the N. Y. canal constructed in less favourable situations, we are disposed to consider it as by no means, impracticable to form a safe canal on this side of the river; and at an expense probably not exceeding that estimated by the engineer.

2. With respect to the comparative advantages of the two routes,—

From the mouth of the Kiskeminetas to Pine creek, the route on the western shore has greatly the advantage, but from this point to the southern termination of the canal, the advantages are in favor of the eastern side. Upon the whole, however, the western shore furnishes a much more easy and economical line for a canal, than that explored on the eastern side. Its levels are longer and the ground generally more favourable; and in no instance, is it obstructed by the precipitous bluffs which constitute the chief difficulties, on the eastern route. With this difference in its favor, we should have no hesitation in recommending it for the adoption of the Board, were it not, that it involves the construction of one or more aqueducts across the Allegheny, which, unless they are built at a very considerable expense, would be attended with much danger and risk, to the navigation of the canal and river.

3. As to the practicability of constructing a safe and durable aqueduct across the bed of the Allegheny?

The materials of which aqueducts have been constructed are *wood, iron and stone*. The first may serve in certain cases and in works of moderate extent, for the mere trunk of an aqueduct, but it is considered on many accounts, as an imperfect material, when introduced in large and complicated frames for the support of the trunk over wide openings. It might be admissible for spans of sixty or seventy feet, which could be adequately supported, by means of a simple truss, but an aqueduct of such a construction across the Allegheny, would form a dangerous obstruction to the ice and drift wood of that impetuous stream. The whole difficulty of the construction, indeed results from the peculiar character of the river. The rapidity of its current, the height of its floods, and the immense drifts of flood-wood and ice, which are frequently borne down by its waters, demand a structure of peculiar strength, and of the most durable materials. An aqueduct of iron or stone with wide arches, would doubtless possess all the necessary requisites of convenience, strength and stability, but the cost of such a construction, arising from the expensiveness of the materials, the labour of constructing, and from the peculiar difficulties with which it would be attended in the bed of such a river as the Allegheny, would in our opinion constitute an obstacle very nearly equivalent to all the advantages presented by the line, on the western side of the river.

The Board will be aware, however, that the information furnished, is not of a character sufficiently minute to enable us to form an accurate comparative estimate. Should the above opinion, however, be verified by a more thorough examination, we have no hesitation in recommending the route on the eastern side of the river.

Respectfully submitted by your  
obedient servant,

WILLIAM STRICKLAND, Engineer.  
D. B. DOUGLASS, Eng.

Pittsburg, August 9, 1826.

## No. 20.

*Separate report of Nathan S. Roberts, upon the location of the western division of the Pennsylvania Canal, under a resolution of the 8th August—dated August 9, 1826.*

*To the President of the Board of Canal Commissioners.*

SIR—In pursuance of a resolution passed the 8th August, 1826, I have conversed with Mr. Strickland and captain Douglass, on the subject of the canal, from Pittsburg to Kiskeminetas, and as I differ some from them in opinion, I take the liberty to report: That in pursuance of instructions to me, given from time to time, I have surveyed both sides of the Allegheny river, from Pittsburg to Kiskeminetas. The estimates on the same have been transmitted to you. The east side of the Allegheny, presents a number of miles of unusual difficulties, such as perpendicular, or very steep rocks, high and steep banks of earth, sloping into the river, which have, in this country, from appearances, a great tendency to run or slip. To make the canal secure, in such places, substantial stone walls must be built, to the height of the highest floods, to sustain the canal banks, and lining between the walls and the hills or rocks, from the ice, timber and floods of the river. The rocks on these steep bluffs, are principally clay slate, and worthless for any kind of walls. The stone must be brought in boats, in most places, from the west side of the river. The walls have been estimated at 75 cents a perch; while those on the eastern side, have been estimated at one dollar and fifty cents, though much more conveniently situated, the stone being principally on the spot. Perhaps there is no better way, when hill slips take place, than to repair the canal. These slips will occur more or less along those bluffs, which are at present, as steep, or steeper, than the earth usually stands.

A great part of this line is at the foot of steep, high hills, having a north-western exposure. On reporting the extent and nature of these difficulties to the board, and requiring further instructions, I was informed, that by my instructions, it was expected, that every practicable route should be examined, between the two points, before a final decision could be made; and that my instructions authorise the crossing the Allegheny, and examining the west side. Accordingly, I have examined for a suitable place, to bring the Kiskeminetas across the Allegheny, as a feeder to the canal, on the west side; and for this purpose, I selected a scite above the mouth of the Kiskeminetas. The Allegheny, at this place, in high floods, is eight hundred feet wide, and at low water, about four hundred feet wide, and four to five in depth. The west abutment of an aqueduct can be placed on rock, and probably the east one. The bed of the river is composed of gravel, and fragments of rocks, very firmly packed. An aqueduct here, would be eight hundred feet long. The piers might safely be one hundred feet from centre to centre, and would rise ten to fifteen feet above the highest floods. The size of piers may be fifteen feet wide at bottom, by ten feet at top, and an average length of thirty-five feet

up and down the stream, by forty feet high, to the top of the trunk. These dimensions, together with substantial abutments and wings, would not contain more than twelve thousand perches of masonry, which should be composed of very large stone, put together in the best manner, and well cramped, and bound with iron. This work, done in the best manner, estimated at three dollars and fifty cents a perch, is forty-two thousand dollars. The upper structure, and the trunk of the aqueduct, 15 by 16, and 4 feet, 4 inches deep, to be constructed of wood and iron combined, in the most substantial manner, and covered with a roof. Many plans for such a structure can be produced, and it is not doubted, by the best judges, that the whole can be constructed perfectly safe and substantial.

The highest price, or estimate, of the upper structure, put at nearly fifty per cent. higher than any proposed, say 30 dollars per foot,

24,000

To which add 10 per cent. for contingencies,

6,600

Amounting to

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 30,600

From the aqueduct, I surveyed the west side of the Allegheny, quite down to the proposed place of termination, as reported. The ground was found much more favorable than was expected. There are no difficulties on the west side, to compare, in magnitude, to those on the east side, with respect to hazard or expense. The canal banks, where they come in contact with the river, are above the floods, and can, in all cases, be protected by a slope wall, and the stone are generally on the ground, of suitable quality. Lock stone are more convenient, and of better quality, than on the east side; and the canal line, on the west side, has easy and regular courses, and a fine southern exposure.

The estimated cost of constructing the canal on the east side of the river, according to the above named report, amounts to

659,519

To construct the canal on the west side, according to the same report, amounts to

296,122

To which add the expense of the aqueduct,

72,000

Expense of west side,  
Difference.

---

 368,122  
 3291,397

I would observe that I have ascertained, that the north side of the Kiskeminetas, is the most favorable for a canal or feeder; and if the Allegheny is crossed at the above scite, it places the canal and feeder on the most favorable ground. And a canal, on either side, coming down the Allegheny, will connect with this canal at the above aqueduct.

All which is respectfully submitted.

NATHAN S. ROBERTS, Eng<sup>r</sup>.

Pittsburg, August 9, 1826.

## No. 21.

*Estimate of the sums necessary to complete that portion of the western division, now under contract, by Nathan S. Roberts, Engineer.—Nov. 30, 1826.*

The following is a statement of the expenses to be incurred in building the locks, aqueducts and culverts, on the Pennsylvania Canal, from Free Port, 24 miles down the Allegheny river, to section No. 9., near Pine creek, at the contract prices.

Lock, No. 1, lift 10 feet, lock-pit, 2,488 yards, at 12 cents, \$298 56

The stone-work, foundation and gates, to be completed for, say 1,200 perches, at 3 dollars 31 cents and a half, a perch, 3,967 08

Puddling lock walls, 450 yards, at 18 cents, 81

Landing up lock, 1,160 yards, at 10 cents, 116

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**\$ 4,462 64**

Lock No. 2, lift 6 feet, lock-pit 2070 yards, at 10 cents, 207

750 perches stone work complete, at 3 87½ 2,906 25

280 yards puddling lock walls, at 18 cents, 50 40

530 yards embanking or landing up lock, at 10 cents, 58

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**\$3,421 65**

Lock No. 3, lift 6 feet, 1760 yards excavation in lock-pit, at 10 cents per yard, 176

750 perches stone work laid complete, at 3 65, 2,737 50

280 yards puddling lock walls, at 18 cents, 50 40

580 yards embanking or landing up lock, at 10 cents, 58

---

**\$ 3,021 90**

Lock No. 4, lift 6 feet, 1,760 yards excavation in lock-pit, at 10 cents. 176

750 perches stones laid complete, at 3 65, 2,737 50

280 yards puddling on lock walls, at 18 cents, 50 40

580 yards embanking up locks, at 10 cents, 58

---

**\$ 3,021 90**

Lock No. 5, lift 8 feet, near Deer creek, 2,074 yards in lock-pit, at 10 cents, 207 40

965 perches, stone work laid complete 3 73, 3,599 45

350 yards puddling on lock walls, at 18 cents, 63

727 yards, landing or banking up lock, at 10 cents, 72 70

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**\$3,942 55**



Amount of lock No, 1.	10 feet lift,	\$4,462 64
do. do.	2. 6 do.	3,221 65
do. do.	3. 6 do.	3,021 90
do. do.	4. 6 do.	3,021 90
do. do.	5. 8 do.	8,942 55
Cost of 36 feet of lockage,		\$17,670 64
Aqueduct at Buffalo creek. Section, No. 6, 230,		
feet, wooden trunk, at \$ 5 48, per foot lineal,		1,260
4526 perches of stone work abutments and piers,		
at two dollars,		9,052 80
700 feet sheet piling, placed at ends of trunks, at 10		
cents,		70
356 yards of puddling do do do 18		
cents,		64 08
		\$10,446 88
Aqueduct at Bull creek. Section No. 32, 70 feet trunk,		
at 4 dollars per foot lineal,		280
2,004.8 perches of stone in abutments, at 1 75 cents a		
perch,		3,508 40
700 feet of 2 inch plank for sheet piling ends of		
trunks, at 10 cents,		70
356 yards puddling do. do. do. 18		64 08
2000 feet timber in foundation laid, at 7 cents,		140
2000 feet plank on the timbers, at 25 dollars per M.		50
		4,112 48
Aqueduct at Deer creek. Section No. 65, 106 feet,		
trunk complete, at 5 dolls. per foot,		530
8,266 perches stone work, in abutments and piers,		
2 dolls. a perch,		6,532
700 feet 2 inch plank, placed for sheet piling ends		
of trunk, at 10 cents,		70
365 yards puddling round sheet piling do.		
at 18 cents,		64 08
2,500 feet timber, under abutments and pier laid, at		
7 cents,		175
2,500 feet 2 inch plank, laid on timbers, at 25 dol-		
lars, laid,		62 50
		7,433 58
Aqueduct at Sqaw run. Section No. 81, 55 feet		
trunk to be completed, at 4 dollars per foot lineal,		220
2,004.8 perches, stone work in abutments and wings,		
at 1 75 a perch,		3,508 40
Carried forward,		3,728 40



Jan. 1.

## THE SENATE.

225

Brought forward,	3,728 40
700 feet 2 inch plank, laid to sheet pile ends of trunk, at 10 cents,	70
856 puddling round do. do. do. 18 cts.	64 08
2,000 feet timber, under stone work, 7 cents per foot laid,	140
2,000 feet 2 inch plank laid on timbers, at 25 dol- lars per M.	50

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\$4,052 18

Amount of Aqueduct over Buffalo creek, 10,446 88

do. do. Bull creek, 4,112 46

do. do. Deer creek, 7,433 58

do. do. Squaw run, 4,052 48

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Total, \$26,045 45

## ESTIMATE OF CULVERTS.

*Culvert on Section 12.*

4 feet chord, 87 feet long, 1 foot plumb work.	
70 perches wall, at 1 75	\$ 122 50
898 feet square timber, at 7 cts.	62 86
630 feet 2 inch plank, at 2 50	15 75
8 rows sheet piling, at 1 50	4 50
104 yards puddling, at 18 cts.	18 72

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224 50*Culvert on Section 16.*

6 feet chord, 122 feet long, 1 foot plumb work.	
135 perches stone work, at 1 75	226 85
1,250 feet square timber, at 7 cts.	37 50
716 feet two inch plank, at 2 68	19 19
8 rows sheet piling, at 1 50	4 50
178 yards puddling, at 18 cts.	32 04
690 yards excavation, culvert pit and drain	94 53

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464 00*Culvert on Section 23.*

3 feet chord, 80 feet long,	
58 perches stone work, at 1 75	87 50
610 feet square timber, at 7 cts.	42 70
566 feet two inch plank, at 2 50	9 15
5 rows sheet piling, at 1 doll.	5
87 yards puddling, at 18 cents	15 66

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138 01*Culvert on Section 37.*

10 feet chord, 80 feet long, stone bottom	
180 perches stone work, at \$1 75	\$15 00
148 yards puddling, at 18 cents	26 64
225 yards excavation, culvert pit,	30 37 1/2
141 yards do. drain	11 28

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\$83 29

*Culvert on Section 32.*

8 feet chord, 80 feet long.		
98 perches stone work, at 1 75	171 50	
1,138 feet square timber, at 7 cts.	79 66	
672 feet two inch plank at 2 50	16 80	
3 rows sheet piling, at 1 50	4 50	
130 yards puddling, at 18 cts.	23 40	
	<hr/>	295 86

*Culvert on Section 47.*

4 feet chord, 80 feet long, stone bottom.		
82 perches stone work, at 1 75	143 50	
56 yards puddling, at 18 cents	10 08	
	<hr/>	153 58

*Culvert on Section 48.*

10 feet chord, 80 feet long, 1 foot plumb work.		
131 perches stone work, at 1 75	229 25	
1140 feet square timber, at 6 cents	68 40	
400 feet two inch plank, at 2 70	10 80	
3 rows sheet piling, at 1 50	4 50	
148 yards puddling, at 18 cents	26 64	
	<hr/>	639 59

*Culvert on Section 53.*

3 feet chord, 80 feet long.		
50 perches stone work, at 1 75	87 50	
610 feet square timber, at 7 cents	42 70	
366 feet two inch plank, at 2 50	9 15	
3 rows sheet piling, at 1 50	3 00	
87 yards puddling, at 18 cents,	15 66	
	<hr/>	158 01

*Culvert on Section 54.*

10 feet chord, 110 feet long, 1 foot plumb work.		
173 perches stone work, at 1 75	302 75	
1650 feet square timber,	100 00	
840 feet two inch plank, at 2 50	21 00	
3 rows sheet piling, at 1 50	4 50	
208 yards puddling, at 18 cents,	37 44	
	<hr/>	465 59

*Culvert on Section 57.*

6 feet chord, 116 feet long, 1 foot plumb work.		
130 perches stone work, at 1 75	227 50	
1320 feet square timber; at 7 cents,	92 40	
625 feet two inch plank,	15 31	
3 rows sheet piling, at 1 59	4 50	
171 yards puddling, at 18 cents	30 78	
690 yards excavatigh. [culvert pit]	48 02	
	<hr/>	418 51

*Culvert on Section 60.*

4 feet chord, 108 feet long, 1 foot plumb work.

95 perches stone work, at 1 75	158 75
860 feet square timber	60 00
680 feet two inch plank, at 2 50	17 00
3 rows sheet piling, at 1 50	4 50
131 yards puddling, at 18 cents	23 58

263 83

*Culvert on Section 70.*

4 feet chord, 80 feet long, 1 foot plumb work

71 perches stone work, at 1 75	\$124 25
828 feet square timber, at 7 cents	57 95
616 feet of 2 inch plank, at 2 50	15 40
3 rows sheet piling, at 1 50	4 50
56 yards puddling at 18 cents	10 08

212 19

*Culvert on Section 73.*

10 feet chord, 108 feet long, stone bottom.

284.16 perches stone work, at 1 75	497 28
203 yards puddling, at 18 cents	36 24

533 82

*Culvert on Section 75.*

4 feet chord, 80 feet long, 1 foot plumb work.

71 perches stone work, at 1 75	124 25
828 feet square timber, at 7 cents	57 96
616 feet 2 inch plank, at 2 50	15 40
3 rows sheet piling, at 1 50	4 50
56 yards puddling, at 18 cents	10 08

212 19

*Culvert on Section 89.*

14 feet chord, 80 feet long, stone bottom.

290 perches stone work, at 1 75	507 50
183 yards puddling, at 18 cents	32 94

540 44

*Culvert on Section 91.*

10 feet chord, 81 feet long, feet plumb work.

146 perches stone work. at 1 75	255 50
1300 feet square timber, at 8 cents	104
300 feet plank under walls, at 2 50	10
Sheet piling and superintendence	10
140 yards puddling, at 18 cents	25 20
725 yards excavation, (culvert pit)	200

604 70

There will probably be 4 or 5 small culverts in addition to the above, say 5, averaging 180 dollars each

\$900 00

*Amount of Culverts as above.*

On section 12—4 feet semi-circle	\$224 33
16—6	464 01
23—3	158 01

Carried forward,

\$ 846 35

		Brought forward,		\$846 45
On section	37—10 feet semi. circle	\$	383 39	
	38—8		295 86	
	47—4		153 58	
	48—10		339 59	
	53—8		158 01	
	54—10		465 69	
	57—6		418 51	
	60—4		263 83	
	70—4		212 19	
	73—10		533 82	
	75—4		212 19	
	89—14		540 44	
	91—11		604 70	
	5 others, averaging 4 feet, at 130		900 00	
				<hr/> 6328 15

*General Abstract.*

Five locks amount to	\$17,670 64	
Four aqueducts	26,045 42	
Twenty-one culverts	6,328 15	
		<hr/> 50,044 21

All which is respectfully submitted,

NATHAN S. ROBERTS, Engineer.

ABNER LACOCK, Esq. acting canal commissioner.

Amount of excavation of earth yet to be done from section No. 1 to 92,	580,226
Amount of embankment yet to be done from section No. 1 to 92	288,259
Amount of excavation of rock yet to be done from section No 1 to 92	57,348

Canal Office. November 30, 1826.

NATHAN S. ROBERTS, Engineer.

Agreeably to the above estimate of excavation of earth and rock, and embankment, it will cost to complete it,	96,971 93
Add amount of locks, culverts, and aqueducts	50,045 21
Do. bridges,	5,044 00
Aqueduct over Alleghany river, near the mouth of Kiskeminetas, for feeder,	70,000 00
	<hr/>
Total estimated expense of the line under contract,	\$222,061 14

**No. 22.**

*Estimate of the expense of completing the canal from Pine creek to Pittsburg, on each side of the Allegheny river, by N. S. Roberts, engineer, with remarks upon their comparative advantages—September 6, 1826.*

On the south side, including the aqueduct over the Allegheny river, as follows:

Grubbing, 48 chains, at 4 dollars,	\$ 192
Excavating 108,399 cubic yards, at 8 cents,	8,671 92
Embankment, 143,527 yards, at 10 cents,	14,352 70
Aqueduct over the Allegheny,	84,724 78
Culvert at Poe's run, (eight foot,)	615
do. at Two Mile Run,	615

Distance, 433 chains, to city line; expense, \$ 169,171 50

**NOTE**—No lockage included in the above.

On the north side of the river, terminating in the Allegheny, by locking in below the bridge, as follows:

Grubbing, 86 chains, at 4 dollars per chain,	\$ 344
Excavating, 100,164 cubic yards, at 9 cents, average price,	18,014 76
Embankment, 44,606, at 10 cents,	4,460 60
Aqueduct over Pine creek]	8,423
Culvert at Gurtie's run,	858
do. at Hare's salt works,	150
do. at Saw Mill run,	657
Lockage, 45 feet, at 500 dollars per foot lift,	22,500

\$ 53,407 36

Distance, 452 chains, into the river, below the bridge.

From the above statements, it appears, that the south line, from section 92, including the aqueduct, to the city line, will cost more, without locks, than the north line will, when completed and connected with the Allegheny, by locks, as located below the bridge, by \$ 53,764 14.

Several routes have been examined, as pointed out by the citizens, for continuing the canal from the city line to the Monongahela river. One very favorable, is between Penn and Liberty streets, to terminate at the steam boat dock. On this route, several gentlemen have relinquished the ground, and will move all obstructions from their premises; but this route will be very expensive, by reason of the great number of bridges, and the difficulty of disposing of surplus earth or spoil-bank, in addition to individual damages not relinquished.

Another route was examined along the foot of Grant's Hill, (north side) into the Monongahela, below the bridge. This will be attended with great expense from the causes as above stated. A third route has been surveyed, in part, and is over or through Grant's Hill, by an open cut and tunnel, and thence along the valley of Suke's run, to its mouth, in the Monongahela, above the bridge. This route, however objectionable on other accounts, is believed to be less expensive than either of the others, as it has fewer bridges, and will not destroy so many buildings; and the ground is less valuable. This was the opinion of several gentle-

men, of a committee, who attended me in the survey, and to whom I gave the estimated expense of cutting through Grant's Hill, viz: amount, \$ 22,962 98.

This distance, including the tunnel of 825 feet, is 18 chains and 50 links. (See the profile annexed) From the south side of Grant's Hill, to make the canal and bridges, and remove buildings, and make good private damages to the Monongahela, near to, or at the mouth of Suke's run, above the bridge, say not less than \$ 5,000

To this must be added 45 feet of lockage, same as  
on the north side, at 500 dollars per foot, 22,500

Balance in favor of north side, 104,227 12

From all which, it appears that if the canal on the south route is to be connected by locks, to the navigable waters of the Ohio, there will be a balance in favor of the route on the north side of the Allegheny, terminating as above stated, amounting to the above sum. In pursuance of a resolution of the board of canal commissioners, the 9th of August, 1826, the above surveys and calculations have been made.

Respectfully submitted,

NATHAN S. ROBERTS, *Engineer.*

September 6th, 1826.

*To the Honorable Board of  
Canal Commissioners,  
Pennsylvania Canal.*

## No. 23.

*Copy of a letter from Nathan S. Roberts, containing statement and plan of bridges for the western division, dated, December 12, 1826.*

CANAL LINE, 17 miles above Pittsburg,  
December 12, 1826.

SIR—Inclosed is a plan of the bridges, proposed to be erected over the western section of the Pennsylvania canal. There will be between thirty-five and forty bridges, necessary to accommodate roads and farms, from Freeport to Pine creek, on twenty-four miles of the canal. The bridges are all under contract, except the landing up at the ends, which is usually paid for, by the cubic yard, according to the distance the earth has to be brought.

Please present this plan to General Lacock, for the inspection of the board of canal commissioners. The labour expended on this canal, has completed the grubbing and clearing. Several sections of excavation nearly done—some finished;—several stone culverts completed, and others in great forwardness. The embankments, locks, aqueducts, &c. are all in a state of favorable progress, and bid fair to be completed within the limits of the contracts.

Your's, with due respect.

NATHAN S. ROBERTS, *Engineer.*

*Joseph M'Ilwaine, Esq. Secretary of the  
Board of Canal Commissioners, Pennsylvania Canal.*

## NO. 24.

*Statement of the expenses of the Engineer's department, on the western section, of the Pennsylvania canal, by N. S. Roberts, Engineer.*

*To the Board of Canal Commissioners of the Pennsylvania Canal.*

I have the facts to state, that the Engineer department, on the western section of the Pennsylvania canal, from April 20th, to this date, has consisted of the following number of persons, to whom such wages have been paid, as were within my written instructions, from the board—having a particular regard to economy, as therein directed, in all things.

One Engineer, at \$ 3,000 per an. and reasonable expenses.

One do. assistant at 3 per day and expenses.

One do. do. at 2 do do.

One target man, at 1 50 do. and find himself.

One do. at 1 do do.

Two ax-men, at 1 do do.

And during the time of exploring and locating two or three additional ax-men, and chain men, were employed at one dollar per day, and they found themselves. The amount of the above expenditure, accompanied with proper vouchers, will be exhibited, at any time when required.

Respectfully submitted,

NATHAN S. ROBERTS,

*Engineer.*

Canal Line, 17 miles above Pittsburg, }  
December 6, 1826.

*Joseph M. Ilvaine, Esq. Secretary of the  
Board of Canal Commissioners of the Pennsylvania Canal.*

## No. 25.

*Report of Gen. Abner Lacock, Acting Commissioner, upon the progress and situation of the Western Division of the Pennsylvania Canal—December 9, 1826.*

GENTLEMEN—

In conformity with the instructions of the Board, the acting commissioner has the honour to state, that he put under contract the line of canal upon the Allegheny river, from the mouth of Pine creek to the mouth of Kiskeminetas, a distance of twenty-four miles, divided into sections, generally of eighty-four perches each. The highest price given for excavation of earth, including gravel, slate, and loose rock or stone, was nine cents per cubic yard, and the lowest price five cents and eight mills. The highest price for rock excavation was fifty cents; the lowest twenty-five cents. The heaviest sections of rock excavation have been taken however at from twenty-nine to thirty six cents per cubic yard.

The aqueducts, five in number, are directed by contract to be built with stone abutments, and piers and superstructures of timber. The stone work contracted for, the highest price two dollars—lowest one dollar and seventy-five cents per perch, of twenty-five cubic feet, the stone to be laid in range work, and well hammered and dressed.

The superstructure or wood work of the aqueducts are let at an average of something less than four dollars per foot, lineal measure.

Five locks are put under contract; one of ten feet, one of eight and three of six feet lift. The highest rate per perch was \$3 67½, the lowest \$3 35½. This covers all the expense of completing the lock except the excavation of the lock-pit, puddling, piling, and embanking; and these are items of trifling expense, and are to be made an extra charge. At this rate, a lock of ten feet lift, containing twelve hundred perches, will cost about 400 dollars, the foot rise. The buildings of a number of culverts have been contracted for. The bottoms, when in situations where they will remain continually immersed in water, are laid with timber, otherwise they are built entirely with stone—the price of stone work, from \$1 62½ to 1 75 per perch. Thirty-seven public and farm bridges have been put under contract—they are to be built of wood; twenty-five of them for one hundred and thirty-seven dollars each, the residue, one hundred and thirty-five dollars. The plan and dimensions of the Bridges will be furnished by the Engineer.

Agreeably to the instructions of the Board, a contract has been made with Sylvanus Lothrop and William Le Baron, for constructing an aqueduct over the Allegheny river, above the mouth of the Kiskeminetas. The sum stipulated to be paid the contractors for the aqueduct is seventy thousand dollars. The piers and abutments are to be made of stone, and the upper works of wood, to be sustained by two abutments and seven piers, the spaces between them one hundred feet each. The preference given to a timber superstructure was induced by the following considerations:—The canal law prohibits any obstructions to the navigation of the river, and piers built therein at a less distance than one hundred feet, might have produced this effect, and the elevation of the crown of a stone arch of one hundred feet chord, would have raised the trunk of the aqueduct so high that it could not have been supplied with water from the Kiskeminetas, but by a very long feeder, and an increased expense of side hill excavation, and heavy embankment, occasioned by the high level upon which it would be necessary to carry the feeder line for many miles above the aqueduct.

A plan of the proposed aqueduct is herewith presented, and it will be seen upon examination, that the wood-work is so constructed, that any part of it, or one entire arch, may be removed without injury to the rest of the superstructure or any interruption to the navigation; and that it may be kept in constant repair; and it is believed at an expense less than the interest of



the the sum saved by adopting the wooden superstructure in place of stone arches.

The contracts on this line were completed about the middle of August last, but many of the contractors lived at a considerable distance, and this, with the preparatory steps, necessary to the prosecution of such works, delayed the commencement of the jobs in many cases, until near the first of September, but since that time, the line has exhibited evidences of great activity and exertion, and the contractors, with few exceptions, have prosecuted the work with vigour and energy. The sections upon the whole line, without an exception, have been grubbed and cleared, and many of the sections are already completed or nearly so, and others in a state of great forwardness.

Of earth there has been excavated 288,192 cubic yards; of rock, 5,859; of embankment made, 45,568 yards, and several culverts have been completed, and others are under way.

Of the locks contracted for, five in number, one lock pit is dug and the bottom laid, ready for the stone—workmen and labourers are employed, and engaged in quarrying and dressing stone, for all the locks, but their construction will be deferred until the weather becomes favourable next season. And the same facts and observations will apply to four aqueducts over small streams. The largest of those, over Buffalo creek, sustained by two abutments, and four piers has been commenced, and some of the stone work, raised above the ordinary floods; and thus far the masonry has been executed in a handsome and masterly style. And the winter season will be made use of by the contractors upon all the jobs for providing timber where it is necessary, upon the higher branches of the Alleghany river, and transporting it in the spring, to where it may be wanted upon the line.

In short, the whole progress made upon this line, thus far, has been flattering and auspicious. Where contractors have been found either tardy in commencing or prosecuting their jobs, their contracts have been annulled, and such jobs immediately transferred to other and better hands.

The excavation through narrows, where the river approaches near the base of the hills, has been found more difficult, and in some places more rock has presented itself, than was anticipated, and slope or protection walls have, for short distances, been found necessary to prevent the encroachment of the stream, and protect the towing path; but these walls can be constructed at a trifling expense, as the stone, in such situations, are always found convenient.

It is believed, that puddling will in no place be required upon the line, as the earth, upon sections where it appears the most sandy and porous, will be sufficiently impervious to prevent the escape of water from the canal. By contract, the various jobs upon this line are all to be completed upon the first day of December, 1827, except the large aqueduct across the Alleghany river, and that is to be finished upon the first day of March, 1828. For this building much stone has been quarried, and a considerable quan-

tity dressed ; and progress has been made in preparing the foundation for the abutments, and some of the piers; and from the character and perseverance of the contractors, there can be little doubt but the work will be done, and well done, by the time stipulated in their contract.

Submitted,

A. LACOCK.

## No. 26.

*Copy of contract and specification, for the aqueduct over the Allegheny, near the mouth of Kiskeminetous, referred to in the report of General Lacock, (No. 25.)*

### ARTICLES OF AGREEMENT,

Made this fifth day of October, in the year of our Lord, one thousand eight hundred and twenty-six, between Abner Lacock, acting canal commissioner, of the one part, and William Le Barron and Sylvanus Lothrop, of the other part, witnesseth, that the said Le Barron and Lothrop, for themselves, their heirs and legal representatives, do covenant and agree, with the commonwealth of Pennsylvania, by their acting commissioner aforesaid, to construct, erect and complete an aqueduct over or across the Allegheny river, above the mouth of the Kiskeminetous, to be constructed and completed, agreeably to the plan approved of by the engineer, N. S. Roberts, and the instructions and specifications hereunto annexed, that are agreed to be, and are hereby made, a part of this contract; and the said contractors are to find all the materials necessary for constructing and completing said aqueduct, which are, before being used, to be examined and approved of by the engineer, or some person by him appointed for that purpose; and it is agreed and understood by the parties, that if any of the persons employed by said contractors should, in the opinion of the acting commissioner or engineer, or by any person by them appointed, do the work, in an imperfect manner, or to be found a drunken, quarrelsome person, or should in any manner misbehave, then and in that case, such person or persons are to be forthwith discharged by the contractors, and never again employed on any part of the work; and the contractors aforesaid, further agree, that they will complete this contract on or before the first day of March, one thousand eight hundred and twenty-eight; and when completed and the whole work, hereby agreed to be done, shall have been approved of by the acting commissioner and engineer, then the said contractors are to receive for the same the sum of seventy thousand dollars, to be paid in the following manner: To enable the contractors to carry on the work, the engineer shall, from time to time, examine the work done, and materials furnished and laid upon the ground, and make an estimate of the same, certifying such sums as he may think may be paid to said contractors, without hazard or prejudice to the interest of the commonwealth; and upon such certificates. pay

ment shall, from time to time be made by the acting commissioner, to the said contractors; and to insure the faithful performance of this contract in every part, ten per cent. of the value of the work done, or materials furnished, shall be retained until the whole is completed and approved as aforesaid, and then upon a final settlement with the said contractors, the balance shall be paid; and it is further agreed by the parties, that if in the opinion of the acting commissioner and engineer, the work in its progress shall be unreasonably delayed, or other cause or reason present itself, arising from the unskillfulness or neglect of said contractors, then and in either case, the said acting commissioner and engineer shall have full power to declare the contract void and of none effect; and then said contractors shall, moreover, forfeit to this commonwealth, ten per centum, upon the value of all the work done; and the acting commissioner and engineer may contract with any other person or persons, for the completion of the same; and it is further expressly and distinctly understood and agreed by the parties, that the contractors aforesaid, are not at liberty to transfer or sub-let this contract to others, except as far as it relates to furnishing the materials and laying them upon the ground: but they are, one or both of them, strictly enjoined, unless prevented by sickness or some unavoidable accident, to personally attend to all and every part of the work, from its commencement to its completion. And it is further understood and agreed, that the engineer may direct such alterations to be made, or variations from the annexed specification or plan of the work, as he may think proper, or add to or diminish from the same: but if such alterations, additions or variations shall, in the opinion of the engineer, be prejudicial to the interest of said contractors, then such equivalent shall be allowed by the engineer, for the same, as he may think just and equitable; and it is further agreed, that if any dispute should arise between the parties to this contract—in that case all disputes or controversies, of whatsoever nature they may be, touching this contract, shall be left for adjustment and final decision to the engineer, whose award is to be conclusive and without appeal by both or either of them.

A. LACOCK, [L. S.]  
 WM. LE BARRON, [L. S.]  
 SYLVANUS LOTHROP, [L. S.]  
 By his attorney, Wm. Le Barron.

*Signed, sealed and delivered, }*  
*in the presence of }*  
 R. L. KEEN,  
 N. S. ROBERTS.

*Specification of the aqueduct to be constructed across the Allegheny,  
 at the mouth of the Kiskeminetas, by Messrs. Lothrop and Le  
 Barron.*

1 The foundation of the piers and abutments to be laid on solid  
 rock or excavation, below the surface of low water, and be laid on  
 a platform of white oak timber, covered with three inch plank.

and laid so low as to be at the lowest water of the river, covered one foot with water, and secured in every respect, in such a manner as the Engineer shall approve and direct. The stone work to be executed in the following manner: to be laid of good solid stone, to be well drafted and cut, or close dressed on the face, and well cut to square joints on the beds and ends, to be laid in regular courses, from 16 to 50 inches thick or high, and to be laid with header and stretcher, alternately—the headers and stretchers, in an upper course, to break bond and cover joints; in the courses below, the headers are to be the longest stone in the work, and not less than 4 feet in length, and  $2\frac{1}{2}$  to 4 feet on the bed; the stretchers to be at least two and a half, to four feet on the bed, and from three to five feet on the face, and square jointed back at least one foot, and where the header in one side does not meet a stretcher, on the opposite side, the space between shall be filled with large, well shaped stones, of the same thickness of the course, and well hammered, to fit the space, and the upper beds of every course, shall be dressed level throughout, before a succeeding course shall be laid. The end of the piers to be constructed, according to the plan of a semi-circular form. The stone having very broad beds, and are, at the ends, to be cramped together, with bars and bolts of iron, to be bedded into the stone, so to be cramped, as often as required. The corners of the abutments to be built of stone of the widest bed, and well bound and cramped together, at the up stream corner if required—against the ends of the arches in the abutments and piers, the stone are to be of the very firmest quality, and large size, cut to perfect joints, for the purpose of sustaining the pressure of the arches against them; the tops of the piers, abutments and wings, to be finished with a handsome, well cut coping, of not less than one foot thick, and not less three feet wide, to be well bolted to the course below. There are to be seven piers, placed one hundred feet apart in the clear, and of dimensions, as follows; forty feet long at the bottom of the canal, fifty feet long at the bottom of river, or on the foundation—forty six feet high, to top of the parapet walls, which are to be six feet above canal bottom; ten feet wide at bottom of canal; seventeen feet wide at bottom of river, or on foundation. Each pier to be made semi-circular, at upper and lower ends; the abutments same length up and down stream as the piers, to be seventeen feet thick at bottom, and to be constructed with suitable buttresses, to secure the ends of the arches, then ten feet thick, from the top of the arches, to the bottom of the trunk—the wings of the abutments, to be of a radius of thirty feet, and the length of each to be a quadrant of a circle, with a buttress at the ends; average thickness of the wings, at the abutments, ten feet, and at the extremity, six feet—and to be raised as high, as the top of the piers, and coped. The face of the abutments and wings to have a batter of one and a half inch, to the foot, to the bottom of canal; and from the bottom of canal to the top of the opening, (6 feet) all parts of the stone work to be plumb.

The upper structure of the aqueduct is to be constructed of wood and iron, of the best quality, and according to the true intention of the parties, and of a plan of the same, herewith presented, respecting the manner of constructing the whole structure. It is agreed that one additional pair of ribs is to be added to the outer circles of each span of one hundred feet more than are at present represented on the said plan. The outside of the upper structure to be well covered with good, jointed pine shingles, and club-boarded or weather boarded with good pine, three-fourths inch stuff, and the ends finished in a style equal to that represented on the plan; and the whole of the outside to be well painted, with three coats of white paint: the whole to be well executed and finished in a manner agreeable to the plan and directions of the engineer, and to the acceptance of the canal commissioners.

A. LACOCK, A. C. [L. S.]  
 WM. LE BARRON, [L. S.]  
 SYLVANUS LOTHROP, [L. S.]  
 By his attorney, Wm. Le Baron.

*Signed, sealed and delivered,* }  
*in the presence of* }  
 R. L. KEEN,  
 N. S. ROBERTS.

## NO. 27.

*Report of Gen. Lacock, acting commissioner, of his proceedings under the resolution of the Board, instructing him to ascertain to what extent releases could be procured, upon the several routes, through the city of Pittsburg.—7th December, 1826.*

*To the Board of Canal Commissioners.*

GENTLEMEN—

Your resolution, directing me to ascertain and report the expenses of passing the canal through the city of Pittsburg, from its eastern line to the Monongahela river, has not been complied with, for the following reasons:—A short time after my return from the meeting of the board, Mr. Roberts, the Engineer, agreeably to a previous understanding, made a visit to his family, in the state of New-York, and, at the same time, an assistant Engineer left the work. Hence, without great prejudice to public interest, it was impossible for me to leave the line of canal, upon which, at least, one thousand men were employed; nor could I have performed the duty alone, as the services of the Engineer, in its performance was required by the resolution. Upon the 11th of November last, about the time I expected the return of Mr. Roberts, I enclosed a copy of the resolution to two members of the Pittsburg committee, with a request, as the subject was interesting to the citizens of Pittsburg, that they would procure the information wanted, or as far as they could abridge my labour, in obtaining it. This, however, was declined, for reasons set forth in a letter from the chairman, and herewith submitted: nor did Mr. Roberts, the Engineer, return until 3 days previous to my leave.

ing the fines for Philadelphia, he having been detained near two weeks longer than he expected, by the authority of the supreme court, to give evidence in an important case. These circumstances, have rendered it impracticable for me to obtain the information called for by the board, but it is believed, no serious inconvenience will arise, upon this account. The whole subject will be laid before the legislature, when time will be afforded for examination; adverse interests reconciled, and a satisfactory decision made.

A. LACOCK, A. C.

*Philadelphia, 7th December, 1826.*

## NO. 28.

*Copy of a letter from Mr. M'Candless, chairman of the committee of the Citizens of Pittsburg, referred to in the report of General Lacock. (No. 27.)*

*Pittsburg, November 16th. 1826.*

SIR,

Enclosed I transmit you a copy of the resolutions passed at a meeting of the Committee of the citizens of this place, held on Tuesday evening last.

Your's respectfully,

WILLIAM M'CANDLESS.

GENERAL LACOCK.

*Tuesday evening, Nov. 14, 1826.*

Resolved, That the chairman be requested to state in reply to the communication dated 11th November, and received the 13th, from Mr. Lacock, enclosing a copy of a resolution of the Board of Canal Commissioners, passed 11th November last,—

That this committee cannot, in the short time intervening between this and the departure of the Acting Commissioner, to attend a meeting of the Board at Philadelphia, on the 5th of December next, undertake to obtain releases from owners of lots in Pittsburg, for the route of the canal, from the line of the city to the Monongahela river, and especially as no particular route or routes, have been designated by the Engineer or the Commissioners, on which releases would be required—but that the Committee believe no serious obstacle or material expense will present themselves on any route which the Board might deem it expedient to adopt.

WILLIAM M'CANDLESS, Chairman.



## NO. 29.

*Statement of Nathan S. Roberts, Engineer, and James D. Harris, assistant, as to the location and designation of canal routes, on the east side of the Allegheny river, and through the city of Pittsburgh*

*To the Board of Canal Commissioners of the state of Pennsylvania.*

GENTLEMEN—

Previous to the meeting of the Board of Canal Commissioners, at Pittsburgh, in August last, the canal line had been located, from the proposed aqueduct, above Pine creek, to Pittsburgh, in such a manner as would be least expensive in its construction, from the quality of the soil, or the small amount of damage done to the buildings, or other property of individuals. This line terminates in the Allegheny, at Washington street. Since the meeting of the board of canal commissioners, at Pittsburgh, in August last, nearly one month has been expended in locating routes for the canal, from the proposed aqueduct, above Pine creek, to the city line of Pittsburgh, on a high level, in such a manner as the citizens most approved, and in pursuance of a resolution of the board; and in examining the various routes proposed by the citizens, and their committees, for continuing the canal, from the city line, at Washington street, to Monongahela river. The routes they wished examined, were from Washington street, between Liberty and Penn streets, quite down to the steam boat dock, in the Monongahela; another route, along Grant street, and the foot of Grant's hill, to the Monongahela, above the bridge; and another, across or through Grant's hill, with a view of terminating the canal at the mouth of Sake's run, about half a mile above the point or junction of the two rivers with the Ohio. Either of the two first of these routes, would be very expensive, and destroy much private property, and would require a great many bridges over the canal. The route through Grant's hill, though very expensive, and much longer than the others, would do less damage to individuals, as it passes round the southern suburbs of the city, where there are but few inhabitants, and but little business done at present.

Respectfully submitted,

NATHAN S. ROBERTS,  
*Engineer, Western Section,  
Pennsylvania Canal.*

*Canal line, 30th Nov. 1826.*

*To the Board of Canal Commissioners of the state of Pennsylvania.*

GENTLEMEN—

After having finished locating the canal line, on the west side of the Allegheny, the locating on the east side was commenced, at the proposed scite for the aqueduct, near Pine creek, on the 21st July, and terminated at Washington-street, on the 25th. From this date, to the 27th August, various levels were run, in conformity to the instructions of the Board, and the request of the inhabitants of Pittsburg, between Pine creek, and the city, and continued over Grant's hill, to Sukes' run, for the purpose of ascertaining the propriety of terminating the canal, at the Monongahela, in that direction.

JAMES D. HARRIS,

*Assistant Engineer.*

*Canal line, Nov. 50, 1826.*

### No. 30.

*Report of Abner Lacock, Acting Commissioner of Contracts, made by him on the western division.*

*To the Canal Commissioners of Pennsylvania.*

Agreeably to the instructions of the Board, I have the honour to report that I have put under contract, in sections of 84 rods each, about twenty-five miles of the western line of the Pennsylvania Canal.

The contractors are very respectable, and have, with very few exceptions, commenced, and are rapidly prosecuting the work, having now in their employment more than one thousand labourers, and their numbers are daily increasing.

Respectfully submitted,

Signed,

A. LACOCK, Acting Comm'r

*September 14, 1826.*



Jan. 1.

THE SENATE.

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*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to you, a copy of a report made by the commissioners appointed under a resolution of the legislature of the 23d of March last, relative to a revision of the penal code of this commonwealth.

J. ANDREW SHULZE.

*Harrisburg, January 1, 1827.*

*To his excellency, J. Andrew Shulze,  
Governor of Pennsylvania.*

*Philadelphia, Dec. 22, 1826.*

SIR—In a letter which we had the honor to address to your excellency, on the 1st instant, we stated that the nature and extent of the very important duties confided to us, rendered it impracticable for us to report the result of our labors at the opening of the present session of the legislature, and we expressed a hope that we should be able to prepare it at an early period of the session.

A more thorough and careful examination of the subject, has not tended to increase our belief in the practicability of preparing, in time for the present session, a report which shall be satisfactory to ourselves, and advantageous to the community.

We owe it to your excellency, and the enlightened and candid legislature, under whose authority we have been appointed, to state fully and respectfully, the views we have taken of the course proper to be pursued under existing circumstances; yielding, however, cheerfully to the better judgment of the legislature, should we find it to differ from our own on the subject.

The resolution of the 23d of March, 1826, have appeared to us to require our attention and labors to be directed to four subjects in a measure distinct, but in some respects connected with each other.

1st. The revision of the existing penal code as respects crimes, and the suggestion of such additions as should take place in the system.

2d. The mode and measure of punishments; whether by hard labor, or solitary confinement, without labor, or by an union of both.

3. Criminal procedure, or a system of amended proceedings in criminal cases.

4. The preparation of a body of rules for the internal police, and government of, and treatment of prisoners in the penitentiaries within this commonwealth.

It will be seen, from the mere enumeration of the duties devolved upon us, that they imply no common degree of labor, reflection and responsibility.

The preparation of a penal code, for a commonwealth containing a population of a million and a quarter of persons, requires an extensive stock of information, not only of the operation of the present system in our own state, but of the codes of other states

and countries; a careful examination of principles, upon the subject of criminal law; and an anxious and minute investigation of the bearing and weight of every word, in the additions and alterations which might seem to us to be called for in the existing code. Had this been the limit of our duties, we might perhaps have been able to furnish the legislature, at their present session, with a report on the penal code, which, though wanting in the completeness which matured reflection could alone give it, might have served at least as a basis for legislative enactment. A review of the penal code, however, formed only one branch of our duties. The hardly less important subjects of punishment, criminal procedure, and prison discipline, required of us an equal share of time, preparation and deliberation. In addition to which, one of the resolutions of the legislature, made it incumbent on one or more of us, "to visit at least two of the penitentiaries in some of the other states of the Union."

Our commissions bear date the 6th of June last. Immediately upon receiving them, we entered upon the performance of our duties. Anxious to collect all practicable information, and to obtain the sentiments of enlightened and experienced persons throughout the state, we prepared a series of interrogatories, respecting crimes and convictions, which were forwarded to the sheriff of each county in the commonwealth, and we addressed letters to different parts of the state, requesting information and opinions on the operation of the penal code. The answers to our interrogatories have not been forwarded with the promptness we looked for, and to the present moment we are without replies from five of the counties.

The importance and minuteness of our inquiries respecting the operations of the penitentiary in Philadelphia, have also delayed the receipt of the desired information until a very recent period. In conformity with the injunctions of the Legislature, we visited the state prisons of New York, at the city of New York, at Sing-Sing, and at Auburn, in the month of July. One of our body visited the state prison of Massachusetts, at Charlestown, in September; another the state prison of Maryland, at Baltimore, and recently the penitentiary at Lambertton, in New Jersey, has been visited by two of us. In these journies we have expended several weeks of time, which has necessarily been subtracted from the performance of other portions of our duties. We consider the time as profitably spent, however, inasmuch as we have obtained a great mass of valuable information in relation to the subject of penitentiary discipline. We have made efforts, too, to collect, from other states, and from Europe, such information, the fruit of their experience and observations, as might aid us in all branches of the inquiry.

Since our return from visiting the penitentiaries in other states, our time has been assiduously employed in digesting the returns, and other information received, and in preparing a system of penal law, criminal procedure, and penitentiary discipline. Our progress has been rapid considering the circumstances we have men-

tioned, and the anxiety we have felt, to render our report acceptable to the legislature, and the public, by that thorough and mature consideration, which the several subjects of our commission so undoubtedly deserve. But after weighing all circumstances we have come to the conclusion that a satisfactory report cannot well be made before the end of the session, at all events, not in time for any legislative enactment to be founded upon it. It has occurred to us, however, that it may be desirable to put the public in possession of our report in all parts of the state, during the interval between the conclusion of the present session, and the meeting of the next legislature, which may be accomplished by a permission to print it under the authority of the state, and to circulate it throughout the commonwealth, in order to obtain the revision of competent persons every where, and thus to render it as nearly perfect as can be expected.

Upon a full consideration, therefore, of all the circumstances, and deeply sensible of the grave responsibility under which we are placed, to the commonwealth, and our own consciences, which seems to forbid any crude or imperfect report, we wish respectfully, to suggest, through your excellency, to the legislature, whether the object of our appointment will not best be accomplished, by a permission to continue our labors, until they shall be sufficiently matured; and when that shall be effected, to print, by authority, a limited number of copies, one of which shall be sent to each member of the legislature, and at least three to each county of the state; so, however, as that the report shall be printed and circulated at least four months before the meeting of the next legislature.

Should the legislature, however, not view these suggestions in the same light as we do, and should they be of opinion, that it will be advisable for us to make a report to the present session, we shall cheerfully acquiesce, with the hope, that when that report shall come to be examined, it will be regarded with the indulgence which the circumstances and reasons stated in this communication, may entitle it to. It is obvious, that an early expression of the sentiments of the legislature, is highly desirable and important to us.

There is, however, one branch of our duties, upon which an expression of opinion may become necessary, at the present session of the legislature. We allude to the subject of punishment by solitary confinement, and with reference to further progress in the completion of the state penitentiary, at Philadelphia. The subject is one of great magnitude; and opposite and irreconcilable opinions are entertained, in relation to it, by many highly respectable citizens, of this and other states.

In proportion to the magnitude of the question, has been the consideration we have bestowed, and the anxiety we have felt, to come to a sound conclusion upon it. After the best consideration we have been able to give the subject, with all the facts we have collected, we are unanimously of opinion, that solitary imprisonment, without labor, as a mean of punishment, will be found burdensome

to the public; ineffectual, as to the subject of it, and inoperative in preventing crime in others. Joint labor, under a vigilant and rigid discipline, which renders all conversation or other communication between the convicts, impracticable; together with separate and solitary dormitories or sleeping cells, upon the plan pursued at Sing-sing and Auburn, exhibits, in our opinions, a system, best calculated to improve the habits of the prisoner, and to relieve the honest part of the community, from the burden of taxation, to secure and support its worthless members. Our reasons for these opinions, will be fully stated in the report, and are founded upon unquestionable documents, and what appears to us unanswerable reasoning. We are far from expecting or wishing the legislature to abandon the system adopted in the penitentiary at Pittsburg, and commenced at Philadelphia, without ample consideration and a full investigation of the facts and reasoning, which we hope to set forth in our report. But we think the result of our inquiries and observations in the penitentiaries we have visited, and elsewhere, warrant us in suggesting to the legislature, the expediency of suspending further appropriations for the erection of additional cells, at Philadelphia, until the next session; when, by the aid of the facts and documents in our report, a final decision may be made, understandingly, of this interesting question. We do not wish to be understood, however, as objecting to the completion of the blocks, or rows of cells, now commenced and finishing, or to the prosecution of any other part of the buildings, which may be independent of the eventual determination on the subject of solitary confinement. The soundest economy dictates, we conceive, the completion of what is now in actual progress.

Repeating our belief, that the true interest of the public, in relation to the subjects confided to us, will be best consulted by the prolongation of the period allowed us, for the performance of our duties, and by the authority we have solicited, to print and circulate the result of our labors, for the general information.

We remain, with great respect,

Your excellency's

obedient servants, &c.

CHARLES SHALER,

EDWARD KING,

T. J. WHARTON.

Laid on the table.

A motion was made by Mr. Knight and Mr. Hunt,

That fifteen hundred copies of the report and documents of the canal commissioners, be printed in the English, and five hundred copies in the German language, for the use of the members of the Senate.

On the question,

Will the Senate agree to the motion?

A motion was made by Messrs. Mann and Ryon,

To amend the motion, by striking therefrom the words, "fifteen hundred," and inserting "one thousand."

Which was not agreed to.

The question recurring,

Will the Senate agree to the motion?

It was determined in the affirmative.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 34, "An act to prevent certain abuses of the laws relative to fugitives from labor."

No. 35, "A further supplement to an act regulating hawkers and pedlers."

Said bills were read the first time.

He also returned bill No. 29, entitled

"An act to repeal the first section of the act entitled an act for the relief of sundry widows of revolutionary soldiers"

And informed that the House of Representatives have passed the same without amendment.

Laid on the table.

On motion of Messrs. Herbert, and Hawkins,

The following resolution was twice read, considered and adopted.

Resolved, That the committee on the judiciary system, be requested to inquire into the expediency of passing a law, compelling judgment creditors, to exhaust the property of the principal debtor, before they shall be permitted to resort to the security.

Adjourned until 11 o'clock, to-morrow morning.

**TUESDAY, January 2, 1827.**

Mr. Seltzer presented two petitions, of similar tenor, from sundry citizens of the counties of Lancaster and Lebanon, praying for the laying out a state road, from the cross roads, at the widow Plesterer's tavern, in Warwick township, Lancaster county, to Shafferstown, in Lebanon county.

Which were referred to Messrs. Seltzer, Ryon and Ray.

Mr. Winter presented the petition and documents of Jefferson K. Heckman, of Northampton county, praying for the passage of a law confirming the title to certain lands, and authorising him to sue for and recover certain moneys.

Which were referred to Messrs. Winter, Hambright and Hamilton.

Mr. Kerlin presented the petition of sundry citizens of Delaware county, praying for the passage of a law, extending the time for which judgments are a lien on real estate.

Which was referred to the committee on the judiciary system.

Mr. Ryon presented two petitions, of similar tenor, from sundry citizens of the north-eastern section of Pennsylvania, praying for certain alterations in the law incorporating the "Lackawanna and Susquehanna rail road company."

Which were referred to Messrs. Ryon, Sturgeon and Mann.

Mr. Dunlop presented the petition of a number of the citizens of this commonwealth, praying for the passage of a law, making the turnpikes from Philadelphia to Pittsburg, free of toll.

Which was referred to Messrs. Dunlop, Ogle and Garber.

Mr. Ogle presented the memorial of the pilots of the bay and river Delaware, praying for certain alterations in the laws regulating pilots and pilotages.

Mr. Dunlop presented the memorial of sundry citizens of this commonwealth, remonstrating against the construction of the Pennsylvania Canal, and collateral inheritance bill.

Said memorials were laid on the table.

The Speaker laid before the Senate, a letter from the Secretary of the Commonwealth, which was read as follows:

SECRETARY'S OFFICE.

January 2, 1827.

*Alexander Mahon, Esq.*

*Speaker of the Senate.*

SIR—I have to request you will be pleased to inform the Senate, that sundry depositions, interrogatories and cross examinations, taken in the case of James Walton, Esq. a justice of the peace of the county of Chester, before Isaac Darlington, Esquire, president and judge of the fifteenth judicial district of this commonwealth, composed of the counties of Chester and Delaware, has this day been laid before the House of Representatives, pursuant to an act of the general assembly, passed the 14th day of January, 1804, entitled “An act directing the mode of taking testimony in cases of complaint against justices of the peace.

I have the honor to be, very respectfully,

Your obedient servant,

I. D. BARNARD,

*Sec'y of Comm'lth*

Laid on the table.

The Clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follow, viz.

No. 36, “A supplement to the act entitled “An act to incorporate a company, for making a turnpike road from Butler to the Allegheny river, opposite Kittaning.

No. 37, “An act to improve the breed of sheep in this commonwealth.”

Said bills were read the first time.

He also returned the bill No. 6, entitled

“An act to alter the times of holding the courts in the counties of Montgomery, Greene and Clearfield.”

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

Adjourned until 11 o'clock, to-morrow morning.

**WEDNESDAY, January 3, 1827.**

Mr. Kelley appeared and took his seat, after the usual oaths had been administered by the speaker.

Mr. Hambright presented a petition and documents of Isaac Gibson, of Lancaster county, praying for compensation for services rendered, as a surgeon during the revolutionary war, which were referred to the committee on claims.

Mr. Kelley presented the petition of sundry citizens of Jefferson county, praying for the repeal of the act entitled "an act to improve the leading roads in M'Kean and Jefferson counties."

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Hambright presented the petition of sundry citizens of Lancaster county, praying for the repeal of the act entitled "An act relating to collateral inheritances."

Which was laid on the table.

The speaker laid before the senate a letter from the Auditor General, accompanied with a document, which were read as follow, viz.

**AUDITOR GENERAL'S OFFICE,**

*January 2, 1827.*

SIR—

On the 30th December last, I had the honor of transmitting to the senate, copies of the statements of the affairs of certain banks. Since that time there has been transmitted to this office, a statement of the affairs of the Schuylkill bank, a copy which is here with submitted.

With great respect,

I have the honor to be, Sir,

Your obedient servant,

**DAVID MANN.**

*The Honorable Alexander Mahon,  
Speaker of the Senate.*



State of the **SCHUYLKILL BANK** in the city of Philadelphia.

Nov. 6, 1826.

**DR.**

To capital stock,	\$500,000 00
Amount of unclaimed dividends,	2,972 00
do. dividends declared this day,	15,000 00
Tax on ditto,	1,200 00
Notes in circulation,	371,924 00
Amount due sundry banks,	226,994 25
do. depositors,	335,054 24
do. of surplus fund,	42,916 86
	<hr/>
	\$1,496,061 36

**CR.**

By bills discounted,	956,851 48
Real estate,	49,909 60
Amount due from sundry banks,	96,053 38
Stock, Chesapeake and Delaware Canal,	10,000 00
Schuylkill navigation stock,	5,000 00
Union canal loan,	10,000 00
Schuylkill bank stock,	18,512 00
Cash on hand, viz:	
Specie,	\$ 116,214 90
Notes of other banks,	233,520 00
	<hr/>
	349,734 90
	<hr/>
	\$1,496,061 36

1826.

*Rate and amount of dividends declared.*

May 6.—3 per cent on \$500,000, is	15,000
Nov. 6.—do do.	15,000
	<hr/>
	30,000 00

H. J. LEVIS, *Cashier.*

Schuylkill Bank, December 27, 1826.

E. E.

City of Philadelphia, ss.

H. J. Levis, being duly affirmed, saith that the above account is just and true, and that it is a correct statement of the affairs of the Schuylkill Bank, as it now stands.

H. J. LEVIS, *Cashier.*

Affirmed before me, this 28th,  
December, 1826.

S. BADGER, *Alderman.*

Laid on the table.

Mr. Herbert, from the committee to compare bills and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on Monday presented to the governor for his approbation, the bills numbered and entitled as follows, to wit:

No. 26. "An act relative to constable's fees."

No. 29. "An act to repeal the first section of the act, entitled, an act for the relief of sundry widow's of revolutionary soldiers."

Laid on the table.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. Ray, in the chair, on bill No. 32, entitled,

An act to make valid certain acts of Charles Deshler, a Justice of the Peace. ✱

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Seltzer and Mr. Ray,

The Senate resolved itself into a committee of the whole, Mr. Ogle, in the chair, on bill No. 20, entitled,

An act annexing part of Berks county to the county of Lebanon.

After some time,

The committee rose and the chairman reported the bill without amendment.

The secretary of the commonwealth being introduced presented a message from the governor, which was read as follows:

*To the Senate and House of Representatives, of the commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the general assembly, and directed the Secretary of the Commonwealth to return them to the Houses in which they respectively originated, viz.

No. 29, "An act to repeal the first section of an act, entitled an act for the relief of sundry widow's of revolutionary soldiers."

No. 26, "An act relative to constables' fees."

J. ANDW. SHULZE.

Harrisburg, January 2, 1827

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

**THURSDAY, January 4, 1827.**

Mr. Seltzer presented the petition of the executors of Jacob Lentz, late of Lebanon county, dec'd praying for authority to sell and convey certain real estate.

Which was referred to Messrs. Seltzer, Allshouse and Schall.

Mr. Ryon presented the petition of Jonah Brewster, president of the Abington and Waterford turnpike road company, praying for legislative aid.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Hambright presented the petition and documents of Jacob Shindle, of Lancaster county, a revolutionary soldier, praying for relief.

Which were referred to the committee on claims.

Mr. Hay presented the petition and documents of Jacob Newman, of Montgomery, praying that the orphans' court of said county may be authorised to appoint a guardian of the personal estate of John Newman.

Which were referred to Messrs. Hay, Power and Dunlop.

Mr. Hambright presented the remonstrance of sundry stockholders of the Columbia Bridge Company, against the passage of a bill providing for certain alterations in the method of choosing directors for the management of said company.

Mr. Moore presented the petition of sundry citizens of Columbia county, praying for certain alterations in the laws regulating hawkers and peddlers.

Said remonstrance and petition were laid on the table.

Mr. Herbert presented the petition of sundry inhabitants of York, Adams and Cumberland counties, praying for the laying out a state road from Dillsburg, in York county, to intersect the Menallen road, at the town of Berlin, in Adams county.

Which was referred to the committee already appointed on the subject.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow:

No. 58, "An act concerning the proof and acknowledgment of deeds made abroad.

No. 39, "An act to establish an academy in the town of Milford, in the county of Pike "

Said bills were read the first time.

He also returned the bill from the Senate, No. 2, entitled "An act for the relief of Mathias Rehr, a soldier, and Hannah Margaret Kemmell, the widow of a soldier of the revolution."

And informed that the House of Representatives have passed the same without amendment.

Laid on the table.

Mr. Ogle, from the committee on behalf of the Senate, to join a committee of the House of Representatives, to form a system of rules and regulations, to be observed in conducting the business between the two houses, reported

1st. That all bills, resolutions, votes and amendments of either house, to which the concurrence of both is necessary, as well as messages, shall be presented to the other house by the Clerk of the house from which they are sent, and shall be acted upon within eight days, by the house receiving the same.

2d, When the clerk of either house shall wait on the other, notice thereof shall be given, by the sergeant-at arms or door-keeper, to the Speaker, who shall declare the same to the house.

3d. When either house shall request a conference, and appoint a committee for that purpose, the other house shall appoint a committee to confer. Each conference shall be held at any time and place, to be agreed on by the chairman.

4th. No new bill shall be transmitted from, or received by either house, within four days next preceding the day fixed for the final adjournment.

Laid on the table.

On motion of Mr. Duncan and Mr. Mann,

The resolution relative to the regulation of weights and measures, beams and scales,

Was read the second time, considered and adopted, and

Ordered, That Messrs. Duncan, Sullivan and Mann, be the committee for the purpose expressed in the resolution.

Bills numbered and entitled as follow, were severally read the second time, and ordered to be transcribed for the third reading.

Mo. 20, "An act annexing part of Berks county to the county of Lebanon.

No. 62, "An act to make valid certain acts of Charles Deshler, a justice of the peace."

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kelley in the chair, on bill No. 28, entitled

"An act for the appointment of an inspector of pot and peart ashes, for the port of Philadelphia, and for the regulation of the inspection of the same."

After some time,

The committee rose, and the chairman reported the bill with an amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hambright in the chair, on bill No. 36, from the House of Representatives, entitled

"A supplement to the act entitled an act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning.

After some time,

The committee rose, and the chairman reported the bill negatively.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Ogle and Mr. Duncan,

To postpone the question, together with the bill, until the first Monday in February next.

Which was agreed to.

Adjourned until 11 o'clock, to-morrow morning.

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## FRIDAY, January 5, 1827.

Mr. King presented the petition of the trustees of Stronds burg academy, praying for legislative aid.

Which was referred to the committee on education.

Mr. Sutherland presented a petition, praying for the incorporation of a company for making a canal to connect the rivers, Delaware and Schuylkill, through the southern section of Philadelphia county.

Said petition was laid on the table.

Mr. Kelley presented a petition, praying that the provisions of the second section of the act of 10th April, 1826, relative to the erection of certain dams in navigable streams, may be extended to Clarion river, from its mouth to the head of the navigation.

Said petition was read and referred to the committee on roads, bridges and inland navigation.

Mr. Hay presented the petition of sundry citizens, of the city and county of Philadelphia, praying for the appointment of an inspector and measurer of lime, for the said city and county.

Which was referred to the members, from the city and county of Philadelphia.

The speaker laid before the senate a letter, accompanied with documents, from Henry J. Williams, secretary of the Pennsylvania institution for the deaf and dumb, which were read as follows, viz :

SIR—In compliance with the provisions of their act of incorporation, I have the honor to transmit the annual report of the Pennsylvania institution for the deaf and dumb.

I have the honor to be,

With great respect,

Your obedient servant.

H. J. WILLIAMS,

*The Honorable A. Mahon,  
Speaker of the Senate.*

*To the Honorable the Senate of the Commonwealth of Pennsylvania.*

The directors of the Pennsylvania institution for the deaf and dumb, in compliance with the seventh article of their act of incorporation, have the honor to submit the following

#### REPORT:

The receipts and expenditures of the institution, during the past year, ending the 21st instant, are exhibited in the annexed account of the treasurer, marked A, which has been examined and approved by the committee of accounts.

The accompanying document, marked B, is a list of the pupils, at present in the institution, of whom the whole number is seventy-five, viz: forty-six males and twenty-nine females. There are at present, fifty-five pupils from Pennsylvania, fifty of whom are supported by the bounty of the state; the remaining five will fill the first vacancies that may occur. Three from New-Jersey, are supported by that state. Three are retained as monitors; three support themselves, by their services. The remaining eleven are supported by their friends. Twelve pupils have been received, and fifteen left the institution during the past year.

No important alteration has been made since the last report. In the course of instruction, the principal and teachers are the same, and the progress of their pupils, bears ample testimony to their assiduity and ability. The manufacturing department affords occa-

sional relaxation to the scholars, from the routine of their daily studies, and furnishes them with those habits of industry and that useful knowledge, which will greatly contribute to their future respectability and support.

The board have great reason for thankfulness to a kind Providence, which has, during the past year, in an unusual degree, protected the institution from the visitation of disease. This exemption from sickness, during the last autumn, gives a pleasing assurance, that the location of the school is favorable to health.

The neatness and perfect order of the domestic arrangements, call for a passing tribute of approbation, to the long continued and faithful exertions of the excellent female, who has superintended this department, from the foundation of the school, and who watches with maternal solicitude, over the health and comfort of the large and interesting family committed to her charge.

As every year adds increased and pleasing conviction of the great moral benefits resulting from the instruction of the deaf and dumb, it becomes a more imperious and delightful duty, to extend those benefits, as far as practicable; and the board are assured, that they but reciprocate the feelings of the legislature, when they ardently look forward to the period, that none of these unfortunate human beings, endowed with the high distinction of reason, and all the faculties necessary for the intelligent and acceptable worship of their creator, shall be suffered to remain ignorant of his existence, ignorant of their own power, and useless to their fellow men.

With the desire of promoting, in a small degree, this great result, and of extending the knowledge of the benefits of this institution as widely as possible, the board would respectfully suggest, that the individual influence of the members of the legislature, might be happily exerted, in their respective neighborhoods, to induce parents or others, having charge of deaf and dumb children, who exhibit any aptitude for instruction, to place them in this institution.

**WILLIAM WHITE, *President.***

**HENRY J. WILLIAMS, *Recording Secretary.***

*December 30, 1826.*

## A.

*The Pennsylvania Institution for the deaf and dumb, in account with John Bacon, treasurer, for moneys received and paid on account of said institution, from December 20, 1825, to December 20, 1826.*

1826.

DR.

Dec. 20. To cash paid to this date and charged to the following accounts, viz.

School furniture,	\$ 7 20
Household furniture,	610 48
Family expenses,	4,699 55
Moneys borrowed, temporarily, in 1825, and this year,	9,000 00
Interest account,	128 29
Premium, perpetual insurance against fire.	465 00
Salaries, to five teachers, matron and steward,	3,874 52
Manufactures, purchase of raw materials, &c.	1,708 30
New building, payment on account of workmanship and materials,	5,688 35
Private pay pupils, advanced for clothing, &c.	23 24
William Ross, steward, advanced for petty family expenses,	23 35
Incidentals, sundries,	1,316 78
	<hr/> 27,545 06
Balance in the hands of the treasurer,	700 21

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\$ 28,245 27

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1825.

Dec. 20. By balance in hands of the treasurer,  
1826.

CR.

\$ 433 17

Dec. 20. By cash received to this date, and placed to the credit of the following accounts:

Donations,	532 00
Annual contributions, 1823,	4 00
1824,	16 00
1825,	70 00
1826,	286 00
1827,	6 00
Charity box, at the Asylum,	22 55
	<hr/> 936 55

Carried forward,

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\$ 1,369 72



Brought forward,	\$1,369 72
Life subscription,	140 00
Moneys borrowed, temporarily, renewal of a note of the build- ing committee,	6,100 00
State of Pennsylvania, for tuition and support of indigent pupils,	7,958 77
State of New-Jersey, ditto,	748 00
Donation to building fund,	82 00
Moneys borrowed, on mortgage, to pay debts incurred in purcha- sing the ground, and erecting the new Asylum,	8,000 00
Private pay pupils, for their sup- port and tuition,	2,163 76
Manufactures, sales of goods made by the pupils,	1,670 46
Family expenses, sales of empty flour barrels, &c.	12 56
	<hr/>
	\$28,245 27
1826.	
Dec. 20. By balance brought down,	\$ 700 21
	<hr/>

E. E. Philadelphia, December 20, 1826.

JOHN BACON, Treasurer.

Examined and approved,  
December 26, 1826.

ALEXANDER HENRY,  
JN. VAUGHAN.

### B.

*List of pupils, fifty of whom are supported by the commonwealth, in  
the Pennsylvania Institution, for the deaf and dumb, Decem-  
ber 1st, 1826.*

NAMES.	AGES.	RESIDENCES	TIMES OF ADMISSION.
Charles Leech,	11	Philadelphia co.	1823. Oct. 1st.
Henry W. Conrad,	17	Montgomery co.	1822, Dec. 16th.
John Stott,	13	Columbia co.	1828, Feb. 15th.
Sarah Bradway,	14	Philadelphia co.	— March 26th.
David Strouse,	19	Northampton co.	— May 9th.
Polly Strouse,	15	do.	— do.
Henry Yonckley,	15	Philadelphia co.	— do.
Francis H. Higgins,	13	do.	— May 10th.
Susanna Freyman,	13	Lehigh co.	— May 19th.
Jacob C. Rees,	12	Philadelphia co.	— do.
Hugh Donoho,	17	Adams co.	— July 26th.

NAMES.	AGES.	RESIDENCES.	TIME OF ADMISSION.
Susan Huff,	14	Philadelphia co.	— Oct. 17th.
Henry Hartman,	13	do.	1824, April 19th.
Rebecca Cowperthwaite,	11	Centre co.	1824, May 15th.
Charity Cowperthwaite,	9	do.	— do.
Rebecca Mitchell,	11	Northumberland co.	— May 28th.
Jacob Gross,	19	Lancaster co.	— June 14th.
John Detweiler,	12	do.	— June 17th.
Charles Miller,	13	York co.	— do.
Christopher Vancourt,	11	Cumberland co.	— July 1st.
Jacob Hullman,	18	Montgomery co.	— do.
Thomas Wilson,	14	Erie co.	— Aug. 6th.
Susanna Slade,	14	Warren co.	— Sept. 29th.
William Osborne,	14	do.	— do.
Sylvanus Joiner,	19	Erie co.	— Nov. 8th.
Ahasel Joiner,	11	do.	— do.
John Devor,	15	Cumberland co.	— Nov. 9th.
Joseph Piatt,	16	Allegheny co.	— Nov. 15th.
Nathan Saeger,	14	Lehigh co.	— Nov. 23d.
Joseph Saeger,	12	do.	— do.
Joab Capron,	15	Susquehanna co.	— Dec. 15th.
Cyrus Morse,	14	do.	— do.
Rebecca Sands,	14	Montgomery co.	1825, Feb. 17th.
Abigail Richards,	13	Bradford co.	— Feb. 21st.
John Mosz,	19	Lebanon co.	— April 26th.
Anna Baker,	13	Berks co.	— May 25th.
Elizabeth Horton,	11	Wayne co.	— Sept. 26th.
Mary I. Histed,	16	Erie co.	— Oct. 3d.
Sally A. Histed,	13	do.	— do.
Diana C. Whitten,	13	do.	— do.
Nathan George,	12	Lehigh co.	— Oct. 5th.
William Longacre,	14	Union co.	— Oct. 8th.
Peter Martin,	18	York co.	— Oct. 24th.
Arthur Kelly, Jr.	15	Luzerne co.	— Oct. 7th.
William M'Clusky,	17	do.	— do.
Andrew Carlin,	10	Philadelphia co.	1826, March 24th.
Daniel Nowlan,	16	do.	— April 11th.
Mary A. Zenser,	12	do.	— Oct. 4th.
Thomas S. Roberts,	9	do.	— Oct. 6th.
Henry Steman,	9	Lancaster co.	— Oct. 9th.
Eliza Peiffer,	10	Philadelphia co.	— do.
Benjamin Paullin,	11	do.	— Oct. 23d.
Hugh G. Tannyhill,	11	Westmoreland co.	— Nov. 10th.
Joseph Ships,	9	Philadelphia co.	— Oct. 28th.
James Bradley, Jr.	12	do.	— Nov. 20th.

Whole number 55. Of these, 50 are now supported by the bounty of the state. The remainder will take the first vacancies.

*Pupils supported by the state of New-Jersey.*

NAMES.	AGES.	RESIDENCES.	TIME OF ADMISSION.
Eleanor Bowers	16	Gloucester co.	1824, Aug. 2d.
Rebecca Rockhill,	13	do.	1825, March 29th.
Rebecca Willetts,	19	Cape May co.	— Sept. 28th.

*Day Pupil.*

Charles Stull,	14	Philadelphia co.	1824, April 12th.
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*Pupils supported by their friends.*

NAMES.	AGES.	RESIDENCES.	TIME OF ADMISSION.
George W. Stenrod	18	Wheeling, Va.	1823, Oct. 23d
Joseph Tindall,	16	Salem, N. J.	1824, Aug. 17th.
Ellen Delany,	14	New Castle, Del.	— Nov. 8th.
Nathaniel H. Wilson,	13	Portsmouth, Va.	1825, March 21st.
Joseph Hance,	12	Salem, N. J.	— April 4th.
Matilda Sowers,	20	Frederick co. Va.	— Oct. 11th.
Susanna Veazey,	17	Baltimore,	— Nov. 15th.
Amelia Geissendoffer,	18	do.	— Nov. 28th.
Eugenia Marcilly,	13	do.	1826, Aug. 9th.
Ann A. Kirk,	19	St. Mary's co. Md.	— Oct. 7th.

*Pupils employed as monitors.*

James C. Murtaph, Albert Newsam, William Darlington.

*Pupils who support themselves by their labour.*

Mary A. Reilly, Sarah A. Ankings, Maria Deraker.

Number of pupils received during the last year,	12
Dismissed,	15
Died,	1

## RECAPITULATION.

State pupils,	55
New-Jersey do.	3
Day, do.	1
Paying do.	10
Monitors and residents,	6

Total number, 75.

Laid on the table.

The Speaker laid before the Senate, a letter from William Clark, Esquire, state treasurer, accompanied with a document, which were read as follow:

## TREASURY OFFICE OF PENNSYLVANIA,

January 5th, 1827

*To the Honorable Senate of the Commonwealth of Pennsylvania.*

GENTLEMEN—

In conformity with the provisions of the fifth section of an act of assembly, passed the 4th April, 1805, I have the honor to enclose, herewith, a statement of the contingent expenses of the treasury, for the year ending with the 30th of November last. Tuesday the 9th instant, being the day pointed out by law, for the election of state treasurer, I beg leave to embrace the present opportunity, of respectfully soliciting your suffrages, for a continuance in the office.

With the highest considerations of respect,

I am, gentlemen, your obedient servant,

WM. CLARK, Treasurer.

*Statement, of the contingent expenses of the treasury office of Pennsylvania, as paid from the 1st December, 1825, to the 1st December, 1826, viz.*

Books and stationary,	\$ 65 37
Expenses to Philadelphia, for cash, in March last,	26 00
Watchman's wages,	240 00
Postage,	49 02½
Repairing and cleaning office,	13 82½
Oil and candles,	8 51
Wood,	17 50
	<hr/>
	\$ 420 23

WM. CLARK, Treasurer.

Laid on the table.

Mr. Herbert, from the committee on the subject, on leave given, reported bill No. 40, entitled

“An act authorising the laying out a state road from Dillsburg, in the county of York, to the town of Berlin, in the county of Adams.”

Said bill was read the first time.

Mr. Hawkins, from the committee on the judiciary system, to whom was referred a petition signed by John and George Eckhart, and Jacob Spitler, praying that the venue may be changed for the trial of a certain action of ejectment, from Adams to Franklin county, reported:

That they deem it inexpedient to report a bill in conformity to the prayer of the petitioners. They therefore offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Hawkins and Mr. Seltzer,

The resolution attached to the above report, was read the second time, considered and adopted.

Mr. Hawkins, from the committee on the judiciary system, to whom was referred a resolution instructing them to inquire into the propriety of passing a law, compelling judgment creditors to exhaust the property of the principal debtor, before they shall be permitted to resort to the security, reported:

That they have taken the matter into consideration, and are persuaded that it would be unsafe to pass a law to that effect; that by confining the creditor exclusively to the funds of the principal debtor, the security might, in the mean time, either through misfortune or design, divest himself of the means which would, in the first instance, have satisfied the claim. Your committee, therefore, offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Hawkins and Mr. Herbert,

The resolution attached to the above report, was read the second time, considered and adopted.

Mr. Hawkins, from the committee on the judiciary system, to whom was referred a resolution requesting them to inquire into the expediency of so modifying the laws, as that all debts due by simple contracts, be placed upon the same footing as those due by bond or specialty, reported:

That it is inexpedient, and offered the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Hawkins and Mr. Seltzer,

The resolution attached to the above report, was read the second time.

On the question,

Will the Senate adopt the resolution?

A motion was made by Mr. King and Mr. Winter,

To postpone the question, together with the resolution, for the purpose of introducing the following as a substitute, viz.

Resolved, That a committee be instructed to bring in a bill, drawn in conformity with the principles contained in the original resolution.

Which was agreed to, and the substitute adopted.

Mr. Hawkins, from the committee on the judiciary system, to whom was referred a resolution, directing them to inquire into the expediency of repealing so much of the act requiring an oath to be made, for the taking out of writs of error, in the supreme court, and the act requiring an oath in the taking out of certioraries, and so much of the act requiring one in entering an appeal from the award of arbitrators, reported:

**SATURDAY, January 6, 1827.**

Mr. Petrikin presented the petition and documents of John Markley, of Montgomery county, praying for authority to sell and convey certain real estate.

Which were referred to Messrs. Petrikin, Kerlin and Seltzer.

Mr. Ray presented the remonstrance of sundry inhabitants of Northumberland county, against abolishing the middle district of the supreme court.

Which was laid on the table.

Mr. Kelley presented the petition and documents of John Smith, of Armstrong county, a revolutionary soldier, praying for relief.

Mr. Sutherland presented the petition and documents of Godfrey Slaughter, of Philadelphia, a revolutionary soldier, praying for relief.

Said petitions and documents were referred to the committee on claims,

On motion of Mr. Sullivan and Mr. Seltzer,

Ordered, That Mr. Audenried be the teller on the part of the Senate, to officiate at the election of state treasurer, on Tuesday next, and that the Clerk inform the House of Representatives accordingly.

Mr. Winter, from the committee on the subject, on leave given, reported bill No. 44, entitled

"An act to make valid a certain deed, from the administrator of Henry Snyder, deceased to Michael Simon.

Mr. Seltzer, from the committee on the subject, on leave given, reported bill No. 45, entitled

"An act to enable Jacob Lentz and Abraham Lentz, executors of Jacob Lentz, deceased, to sell certain real estate.

Said bills were read the first time.

On motion of Mr. Leech and Mr. Power,

The resolution attached the report of the committee on the judiciary system relative to the state map, was read the second time, considered and adopted.

A motion was made by Mr. Kitchin and Mr. Duncan, and read as follows, viz:

Resolved, That a committee be appointed, in conjunction with a committee from the House of Representatives, if that house should appoint such committee, to report a plan for the improvement of the public ground attached to the state capitol, and such measures as may be necessary to carry the same into effect.

Laid on the table.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill entitled

No 46, "A supplement to the act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia, passed the third day of March, 1813."

Said bill was read the first time.

He also presented an extract from the journal of that house, which was read as follows, viz.

*In the House of Representatives,  
January 6, 1827.*

On motion,

Ordered, That Mr. Cunningham be the teller on the part of the House of Representatives, to officiate at the election of state treasurer, on Tuesday next.

Laid on the table.

Bill No. 28, entitled

"An act for the appointment of an inspector of pot and pearl ashes, for the port of Philadelphia, and for the regulation of the inspection of the same,"

Was read the second time.

The sections were severally considered and agreed to.

The title was agreed to, after being amended by striking out all after the word "for," where it occurs the third time, and inserting these words, "regulating the inspection of the same."

Bill No. 30, entitled

"An act authorising the laying out a state road in Beaver and Mercer counties, and also in Beaver and Allegheny counties,"

Was read the second time.

Ordered, That said bills be transcribed for the third reading.

The Senate resumed the second reading and consideration of bill No. 43, entitled

"An act to authorise the printing and distribution of an additional number of the pamphlet laws."

The first section being again under consideration,

On the question,

Will the Senate agree to the same?

It was determined in the affirmative.

The second and third sections were then severally considered and agreed to.

The fourth section being under consideration,  
A motion was made by Mr. Kerlin and Mr. Sturgeon,  
To postpone the same, together with the bill, for the present.  
Which was agreed to.

Agreeably to order,  
The Senate resolved itself into a committee of the whole, Mr. Ryon in the chair, on bill No. 37, from the House of Representatives, entitled

"An act to improve the breed of sheep in this commonwealth."

After some time,  
The committee rose, and the chairman reported the bill negatived.

On the question,  
Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Sutherland and Mr. Power,  
To postpone the question, together with the bill, for the present.  
Which was agreed to.

Agreeably to order,  
The Senate resolved itself into a committee of the whole, Mr. Schall in the chair, on bill No. 38, from the House of Representatives, entitled

"An act concerning the acknowledgment of deeds made abroad."

After some time,  
The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,  
The Senate resolved itself into a committee of the whole, Mr. Seltzer in the chair, on bill No. 41, from the House of Representatives, entitled

"An act appropriating to internal improvement, certain depreciated paper in the treasury of this commonwealth."

After some time,  
The committee rose, and the chairman reported the bill without amendment.

Adjourned until 11 o'clock, on Monday morning next.



**MONDAY, January 8, 1827.**

Mr. Audenried presented the petition of sundry citizens of Schuylkill county, praying for the passage of a law for the better regulation of hawkers and pedlers.

Which was laid on the table.

Mr. Hunt presented the petition of the stockholders of the Bank of Chester county, praying for certain alterations in their act of incorporation.

Which was referred to the committee on banks.

Mr. Seltzer presented the petition and documents of Mary Zuber, of Lebanon county, praying to be divorced from the bonds of matrimony.

Which were referred to Messrs. Seltzer, Herbert and Ham-bright.

Mr. King presented the petition of the trustees of the Allentown academy, praying for legislative aid.

Which was referred to Messrs. King, Winter and Hamilton.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on Saturday presented to the governor, for his approbation, the bills numbered and entitled as follow, to wit:

No. 2, "An act for the relief of Mathias Rehr, a soldier, and Hannah Margaret Kenmel, the widow of a soldier of the revolution."

No. 6. An act to alter the times of holding the courts in the counties of Montgomery Greene, Clearfield and Beaver."

Laid on the table.

Mr. Ryon, from the committee on the subject, on leave given, reported bill No. 47, entitled

"A supplement to an act entitled an act authorising the governor to incorporate the Lackawanna and Susquehanna rail road company."

Mr. Kitchin, from the committee on education, reported bill No. 48, entitled

"An act for the relief of the Stroudsburg Academy."

Mr. Hay, from the committee on the subject, on leave given, reported bill No. 49, entitled

"An act for the relief of John Newman, a deaf and dumb person."

Mr. Petrikin, from the committee on the subject, on leave given, reported bill No. 50, entitled

"An act to empower John Miles, and Joseph Miles, surviving executors of Samuel Miles, late of Montgomery county, deceased, to sell and convey certain real estate therein mentioned.

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled as follows, viz.

No. 51, "An act to incorporate the borough of Muncey, in Lycoming county."

Said bill was read the first time.

The Secretary of the Commonwealth being introduced, presented two messages, accompanied with documents, from the governor which were read as follow, viz.

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the general assembly, and directed the secretary of the commonwealth to return them to the Senate, in which they originated, viz :

No. 2, "An act for the relief of Mathias Rehr, a soldier, and Hannah Margaret Keumell, the widow of a soldier of the revolution."

No. 6, "An act to alter the times of holding the courts in the counties of Montgomery, Greene, Clearfield and Beaver."

J. ANDW. SHULZE.

*Harrisburg, January 8, 1827.*

Laid on the table.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

By an act of the 10th of April last, entitled, "An act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania; three commissioners were appointed to investigate the affairs of that bank, and make report to the governor; and if upon such report, it appeared, that the terms of the act to establish a Bank in the district composed of the counties of Bradford, Wayne, Luzerne and Susquehanna, to be called "The Northern Bank of Pennsylvania," had not been strictly complied with; or if the directors or officers of the bank refused to exhibit to the said commissioners, every thing which they might think necessary, to a full investigation of all matters relative to the concerns of said bank, that then it should be considered that the charter of said bank had been unlawfully obtained; or that the same is injurious to the citizens of this commonwealth, and the Governor should have power to revoke, annul, and make void, the charter of the same. The commission

ers have made a report to me, in obedience to that law; and although I shall not shrink from the performance of any legal duty enjoined on me, yet after deliberate reflection on this case, and a careful examination of the report of the commissioners, and the evidence and facts disclosed in it, I have thought it my duty to submit the whole subject to the consideration of the legislature. I have, therefore, transmitted to you a copy of the return of the commissioners, appointed under the act to establish the Northern Bank of Pennsylvania, together with a copy of the report of the commissioners appointed to investigate the affairs of said bank, under the law of last session.

J. ANDW. SHULZE.

*Harrisburg, January 8, 1827.*

### No. 1.

*Report of the Commissioners appointed to investigate the concerns of the Northern Bank of Pennsylvania.*

*To his excellency John Andrew Shulze, Esquire,  
Governor of the Commonwealth of Pennsylvania.*

We the subscribers, commissioners appointed by an act entitled, "An act to erect a Bank within the district composed of the counties of Bradford, Wayne, Luzerne and Susquehanna, to be called the Northern Bank of Pennsylvania," do certify that in pursuance of our appointment and the law regulating our duties, we caused the books to be duly opened in each of the said counties, for the purpose of receiving subscriptions, when there were subscribed, [Here follows the names of the subscribers, with the number of shares subscribed by each, amounting to the number required by the law to entitle the bank to a charter.]

Witness our hands and seals, this sixteenth day of July, one thousand eight hundred and twenty-five.

ABISHA WOODWARD,	[L. s.]
DARIUS BULLOCK,	[L. s.]
C. D. SHOEMAKER,	[L. s.]
NATHANIEL B. ELDRED,	[L. s.]
A. BEAUMONT,	[L. s.]

And we the commissioners aforesaid, being, respectively, duly sworn, do depose and further say and certify, that there has been actually paid in to us, by the said subscribers, in specie, the sum of thirty-five thousand dollars, on the stock, so as aforesaid subscribed, agreeably to the act of assembly, in such case made and provided.

ABISHA WOODWARD,  
DARIUS BULLOCK,  
A. BEAUMONT,  
C. D. SHOEMAKER,  
NATHANIEL B. ELDRED.

Sworn and subscribed before me, this sixteenth day of July, eighteen hundred and twenty-five.

## UNITED STATES OF AMERICA.

*State of New-York, ss.*

By this public instrument, be it known, to all whom the same doth or may in any wise concern, that I, Joseph T. [L. s.] Adams, a public notary, in and for the state of New-York, by letters patent, under the great seal of the said state, duly commissioned and sworn, dwelling in the city of New York, do hereby certify, that on the day of the date hereof, personally appeared before me the said notary, Abisha Woodward, Darius Bullock, Andrew Beaumont, Charles D. Shoemaker and Nathaniel B. Eldred, whose names are subscribed to the annexed certificate, and in my presence, made oath in due form of law, to said certificate and signed their names thereto, for the uses and purposes therein mentioned.

In testimony whereof, I have subscribed my name, and caused my notarial seal of office, to be hereunto affixed, the sixteenth day of July, in the year of our Lord, one thousand eight hundred and twenty five.

JOS. T. ADAMS, *Public Notary.*

## STATE OF NEW-YORK.

*City and County of New-York, ss.*

I, John Woodward, clerk of the city and county of New York, and clerk of the court of common pleas, in and [L. s.] for the said city and county, do hereby certify, that Joseph T. Adams, by whom the annexed certificate was executed, was, on the day when the said certificate was so executed, a public notary, in and for the state of New-York, and duly commissioned and sworn; and further, that the signature of Jos. T. Adams, subscribed to the said certificate is the proper hand writing of the said notary.

In testimony whereof, I have hereunto sent my hand, and affixed the seal of the said court, this 18th day of July, 1825.

JNO. WOODWARD.

*To his Excellency J. Andrew Shulze, Governor of the Commonwealth of Pennsylvania.*

In pursuance of the act of Assembly, passed on the 10th day of April, 1826, entitled "An act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania," the commissioners therein named gave notice to the officers of the bank, and to all others who might have an interest in the investigation, or who might be able to give the best information upon the subjects required to be examined by the provisions of said act, that they would meet at the banking house, in Dundaff, on the 3d day of November, 1826. The act gives no authority to enforce the attend-

ance of witnesses, or to compel them to give evidence when present. The commissioners' means of obtaining testimony are limited to requests only.

At the time and place above mentioned the commissioners met. Oristus Collins, Esq. appeared as counsel for the bank, and Benjamin T. Case, Esq. as counsel against it. The officers of the bank, willingly exhibited the books, papers, accounts and funds of the institution, and the cashier was examined on oath, whose testimony and statement, as well as the testimony of other witnesses are given at large in the following

#### REPORT:

On the 4th of November, 1826, Abisha Woodward, Esq. one of the commissioners appointed under the act of 11th of April, 1825, entitled "An act to erect a bank, &c to be called 'The Northern Bank of Pennsylvania,'" attended, and after having been sworn by a magistrate, testified in substance as follows:

"I was one of the commissioners of Wayne county, for opening the books. I went with Messrs. Beaumont, Shoemaker, Eldred, and Bullock, to New York, for the purpose of converting the paper into specie, and depositing the money in some bank for safe keeping. We took with us, I think rising of \$20,000, in par paper, though I am not positive of the amount. A further payment was promised to be made to us in New York, which was made to us there, so as to make up the sum of \$35,000, in the whole. The amount of \$3,000 paid to the Bradford commissioners, in specie, was left at Dundaff, as they informed me. We deposited the whole sum of \$35,000, in the Jersey City Bank, and took a certificate of the deposit from the president or cashier, from which I cannot tell. When the certificate was presented, we did not like to take it alone, without knowing more concerning it. We went to the Phoenix Bank, or to the office of the Jersey City Bank, in New York, and the president of the Jersey City Bank was there, and enquired of us whether we wanted the money. Some of the commissioners were disposed to remove it; and the president told us there was a box containing \$19,000, in specie, which we might count and remove whenever we chose, and he would give us a line to the cashier of the Jersey City Bank, who would pay us the residue of the certificate of \$35,000. The question then arose whether we should count and remove the money. The commissioners were divided in opinion; but the majority thought it as safe there as it could be if taken elsewhere, so that we did not count it. I thought it was not necessary. The commissioners then expressed themselves satisfied with the payment, as well as the safety of the money.

"After the election of directors of the bank, Mr. Beaumont, being elected one of them, had the certificate of the deposit, and I advised him to stay till the president and directors of the bank should be elected, so as to deliver over the certificate to the officers of the bank, that our responsibility might cease. The commissioners inquired as to the solvency of the Jersey City Bank, and

found its standing as good as any of the banks. We did not return to the Jersey City Bank. I should have pursued the same course if the money had been my own, and should have considered it safer than in my own hands. We went to New York at the expense of the stockholders."

On his cross examination, Mr. Woodward stated,

"I think 500 shares were subscribed in Wayne county, or at least the amount of the proportion for that county. No specie was paid in Wayne county. I understood from Mr. Eldred that the commissioners had agreed to receive par paper. The par paper was all paid down, except a few shares about Bethany, which Mr. Eldred was to secure.

"The money in our hands, including \$200 in specie which I had received by exchange, was paid by me to John E. Mowatt, and the residue of the money in the hands of the commissioners, was paid to him, also; and he procured the certificate and delivered it to us, as a deposit of specie, to the amount of \$35,000. I cannot say where the specie received at Bradford was left, I think I saw it at Montrose in boxes.

"The books were not filled up so as to reach the amount required by the act, and when we met at Montrose, Mr. Phinney proposed, if we would go to New York, the residue should be paid; we went, and it was accordingly done. I understood that Mowatt was deeply interested in the bank; but cannot tell to what amount. Messrs. Post and Jessup, two of the other commissioners, objected strongly to going to New York. I think Mr. Bosworth did not object, but was prevented from going by business.

"I inquired of William Smith, merchant, of New York, with whom I had been long acquainted, concerning the standing of Jersey City Bank.

"The Montrose Books were filled with names enough at twelve dollars per share; but the commissioners told us the money was paid at five dollars per share, and was in the Silver Lake Bank. The rest of us did not consider them to be legal subscriptions.

"Mr. Eldred informed me that the commissioners had agreed to receive twelve dollars on each share, at their first meeting, and I agreed to it, and this agreement was adhered to by Mr. Eldred and myself. We opened the books on Monday, and on Tuesday Messrs. Post and Sayer came, with a letter from the Susquehanna commissioners, saying they had determined to take specie only, and if we received any thing else, they should hold us accountable for any loss that might ensue. I have not the letter. I understood from the Bradford commissioners, that they received paper, at the first opening of their books; and after they received a communication from Susquehanna, they refused to take it. I think they received the communication on Tuesday, at Bradford. As far as I know, the transaction was as fair as any one of my life.

"I think the greater part of the stock in our county, was subscribed by means of powers of attorney. Amzi Fuller, Esquire, had the powers of attorney, and he paid the money for what he subscribed.



Every one that offered in our county, had an opportunity to subscribe. Mr. Fuller informed them that any person in whose name he subscribed, might retain his stock, and if he did not, Mr. Phinney would keep it. Mr. Fuller paid the money for Mr. Phinney, for what was subscribed by powers of attorney. The books in our county, were closed within the second or third day. At the first meeting of the commissioners, after the books were closed, the Susquehanna commissioners expressed an opinion, that the proceedings had not been legal, and that the books should be opened again, and what had been done treated as a nullity; a majority were of a different opinion, and thought that we had done right. This difficulty was in regard to the receiving twelve dollars, instead of five dollars, on the share. I think Mr. Jessup or Mr. Post, proposed to open the books in Susquehanna and Bradford, and confirm them in Luzerne and Wayne, where they had paid twelve dollars per share; but a majority of the commissioners overruled. I understood the commissioners of Susquehanna agreed to receive par paper at first. It was proposed to take legal advice on our proceedings; it was agreed to, and Mr. Kinney and Mr. Reed were heard against them, and Mr. Collins in their favor. We were satisfied that we were right."

At an adjourned meeting of the commissioners, at Wilkesbarre, on the 16th of November, 1826.

Andrew Beaumont, Esquire, being sworn by a magistrate, said "The deposition of Judge Woodward is correct, as far as I remember;" and being further examined, said, "There was a good deal of conversation with the president of the Jersey bank, about the removal of the money. He was the person who gave the certificate. This certificate was issued by the president and not by the cashier. The interview was in Wall street. The president was at the office of the Jersey city bank, in New-York. Mr. John E. Mowatt gave us the certificate. I think we had upwards of twenty-two thousand dollars with us, in paper, and the residue was to be made up in New-York. The president of the Jersey city bank, exhibited a bank book, shewing a credit in the Phoenix bank, in favour of the Jersey city bank, of a specie deposit, as appeared in the book. He said if we would wait until Monday, he would pay us the specie, instead of the certificate: but it was late, and we had made such inquiry from persons of the first respectability, concerning the standing of the bank, as induced a majority of the commissioners to believe that it would be prudent to take the certificate. Thirty-five thousand dollars was the amount for which the certificate was given, as a specie deposit. We delivered the money to Mr. Mowatt, when we took the certificate. The specie from Bradford was left in the hands of Charles Welles, at Dundaff. The three thousand dollars were taken from Montrose to Dundaff, when we went to that place. I do not know whether Mr. Bullock had paper in lieu of the specie. All the commissioners, when we went to New-York, had, together, rising of twenty-two thousand dollars. The boxes said to contain the specie from Bradford, were not opened. Messrs. Bullock

Bosworth were satisfied with the specie. We did not go to the Jersey city bank, neither did we call on the cashier of the bank. We saw no specie counted in New-York. We were at the office of the Jersey city bank, in New-York. I do not remember the name of the president. From this certificate, we made our return to the governor. The certificate was made in New-York, and the oath administered there. The certificate was returned by the governor, on account of some omission, which we supplied. I think it was putting our seals to it. We then sent the certificate back. I think the subscription books were all taken to New-York. I think there were as many shares subscribed on the books as were required by the act. I understood that the 13,000 dollars, to make up the deficiency of 35,000 dollars, were advanced by the stockholders, on the shares already taken. This money was paid into the bank, and the certificate obtained. I know of no accounts opened in the name of the commissioners in any bank, in New-York, until this certificate was delivered. I do not know how the deficiency of stock was made up, or by whom, but I understood from the stockholders.

“I was one of the first directors. When the location of the bank was established, and the officers chosen, I was instructed by the commissioners, to deliver over the certificate to the officers of the bank. I did so, and have a receipt for it, from Mr. Howard, the first cashier. I thought Mr. Howard had some connection with the Messrs. Mowatts, because he was with them; but I cannot tell in what manner connected. I did not see any money in the hands of the Montrose commissioners, except what was paid on subscriptions made by Mr. Phinney. I do not know any thing of the discount of a note of 35,000 dollars, at the bank. The Montrose commissioners found fault with the subscriptions at 12 dollars per share, and undertook to persuade us that we could not take more than five dollars per share.”

At the same time and place, Charles D. Shoemaker, Esq. being sworn as aforesaid, observed.

“I agree generally with Mr. Beaumont, as far as he acted as a commissioner. We thought we had such evidence of a deposit, as if we were acting for ourselves, we would be satisfied with. Much inquiry was made concerning the Jersey City Bank, and it appeared to be good. I have no distinct recollection of having seen a box of \$19,000, the box spoken of by judge Woodward; nor do I remember that any boxes of specie were shown to us. The president said they would count the money to us, if we would stay till Monday.”

At the same time and place, Isaac Post, Esq. being affirmed, said, “The commissioners all met at Montrose, before the stock was taken up; the manner of proceeding was taken into consideration, and it was agreed by the commissioners to receive and require twelve dollars on each share at first. It was said it was not likely that stock would be taken in any county but Susquehanna. There was much talk whether paper or specie should be received. It was



said by some that specie might as well be received; and others thought there might be persons who would wish to subscribe, and not have specie to pay their subscription, at this time. I understood that specie would be required, although others did not so understand it, as they afterwards informed me. We adjourned to meet again after the expiration of the time for keeping open the books. The day the books were opened, I subscribed for a share, and my brother, Mr. Foster and Mr. Jessup also subscribed. After this I was called away, and left Mr. Jessup with the books. I returned. Gould Phinney was there. He had the books, and was writing down names—near Phinney, on the table, lay a considerable roll of bank paper. I asked him if he was subscribing to pay in bank paper; he said he was. I told him that it was not my understanding that paper was to be received, and I could not consent to it; and I also told him that I did not believe it was the understanding of the other commissioners to take paper, and that I would not take it, and be accountable to turn it into specie. Mr. Phinney said he had a right to subscribe in that way, and he would do it. He said he had powers of attorney for that purpose, and asked me if I had any objections to his subscribing. I looked at the powers of attorney, and saw some names, which I knew to be names of persons in N. York—persons living in the city. I then told him I had objections. I told him that the people of the county ought to have the first privilege of subscribing. I said, however, that Mr. Jessup might do as he pleased, but I should object to the receiving of paper. I had uniformly told those who inquired, that specie would be demanded; and I observed to Mr. Phinney, that the act required specie. But Mr. Phinney went on and put down all the names he wished to enter. Mr. Jessup came in about that time. I told Mr. Phinney I did not think any of the other commissioners in the other counties, would receive paper. Mr. Phinney said they had agreed with him that they would, and he had made arrangements for taking up a majority of the stock, and we might help ourselves. After Mr. Phinney had concluded his subscription, I told him he had better take his money. He said he should not. He tendered it for stock. I think Mr. Jessup offered the money to Phinney, after he had taken it up from the table. I do not know what has become of this money. Mr. Jessup told me he had given it to Mr. Thomas Welles, the cashier of the Silver Lake Bank, and requested him to give it to Mr. Phinney, when he should call for it. I afterwards understood that the money was paid to Mr. Phinney, or taken by the other commissioners. I think no more subscriptions were made that day. The books were closed immediately for the day, it being about 4 o'clock, P. M. Next morning, about 9 o'clock, Mr. Jessup and myself opened the books again. Mr. Samuel Hodgdon came in, with a number of other persons. Hodgdon said he wished to subscribe. I told him he could, on the payment of specie. He said he had specie—took the books and began to subscribe, showing a number of powers of attorney, with a long list of names. When he had entered all the names, we found he had put down

enough to take all the shares, which were the portion of Susquehanna county, as was agreed on by the commissioners at their first meeting. We then inquired of him for the specie. He said it was ready at the Silver Lake bank, and at any time when we would attend to count it, we could have it. Mr. Phinney asked if the books were filled. We told him they were, in case Mr. Hodgdon paid the money for what he had subscribed. Mr. Phinney said he had specie, and wanted to subscribe. I told him if he would then pay the specie on the names before subscribed by him, they should be considered as good. He did not offer any specie on these subscriptions, but made no objections to do so. Either that night or the next morning, we went to the Silver Lake bank, Mr. Hodgdon with us—he brought out some specie, and began to count it into piles of five dollars each, and said he was counting at five dollars per share. Nothing had been said before about five dollars a share, as I expected twelve dollars. A good deal was said. We told him twelve dollars were required, and we should not consider his as subscriptions, unless he paid twelve dollars. This controversy stopped any further counting of the money. I would suppose \$700 or \$800 of specie were poured out on the counter. There was another box which would probably have contained \$1000, and one or two other boxes, which he said contained specie. I saw the money in two of the boxes.

“We refused to receive these subscriptions; went back and stated that the books were open, and that we did not consider the subscriptions already made, good and sufficient. Several persons came and offered to subscribe, and pay five dollars in specie, on a share, we refused to receive it, and they threatened to prosecute us.

“There were married and unmarried women, whose names were on the list, subscribed by Mr. Hodgden. The books were not closed on Monday, for the purpose of their getting these powers of attorney. The books were opened every day. Mr. Jessup refused to take the money offered by Mr. Phinney—he did not wish to take it, on his own responsibility. No person offered to subscribe at twelve dollars a share, after that. Mr. Jessup told them if they would not pay twelve dollars, we would take them off their hands. We returned the four shares, as subscribed, and held ourselves accountable. I never have settled my accounts with the bank, and never have been called on; nor have I ever received a cent for my services.

“At the day appointed, the commissioners met again. They said the books were filled in Luzerne and Wayne, but not in Bradford. About 250 shares had been subscribed in Bradford. Mr. Jessup and myself made a statement of what had taken place in Susquehanna. Some thought that paper ought to have been received; and the majority of the commissioners considered the subscriptions of Mr. Phinney good, and such as ought to have been taken; and I have understood that the commissioners took the money which he had left. I expressed an opinion that we ought not to exact twelve dollars. It was proposed to open the books anew; the commission

ers of Luzerne and Wayne objected to it; they would not open them and receive five dollars a share.

"At the second meeting a majority of the commissioners thought it best to comply with the proposition of Mr. Phinney, and go to New York. Mr. Phinney was to pay the balance of the money at that place. Five of the commissioners agreed to go, and started as they said for that purpose. Mr. Jessup and Mr. Bosworth objected to certify on a deposit made in New York. I also objected. The others considered the payment and deposit, at New York, as complying with the act. It was said the money was to be paid and deposited in the city of New York for safe keeping. Judge Woodward thought it much safer in bank in New York than it would be if brought into this country. I cannot tell the amount which the commissioners had with them; it was my impression that about \$16,000, or \$18,000, were in the hands of the commissioners."

Isaac P. Foster called on O. Collins, Esq. as one of the directors, and agent of the bank; but Mr. Collins declined giving evidence, as he is the attorney of the institution; and says that as director he will exhibit with the others, all the books and papers of the bank, as well as all which he has in his own possession.

The *ex parte* affidavit of John Smith, was read by John N. Conyng-ham, Esq. attorney against the bank; and objected to by O. Collins, attorney in favor of said bank. This deposition is annexed and marked No. 1.

Thomas Welles, Esq. having been sworn, said,

"I am the cashier of the Northern Bank of Pennsylvania. appointed about the 20th of December last. I was not in the bank before that time. The sum of \$35,000, in specie, said to be deposited in the Jersey City Bank, was not paid into my hands. There was no specie payment made to me when I came into the bank, on the stock of the bank. There was a good deal deposited in specie to turn on stock in some way. Mr. Phinney made the principal specie deposit—he was the president of the bank—he deposited a good deal of specie in the course of last winter and spring. No specie paid to me on account of stock payments that I remember. The specie deposited by Mr. Phinney, he said, he supposed would ultimately be turned to stock; but no specie came to my hands as payment on stock.

"I found by the minutes of Mr. Howard, that a certificate had been exhibited of \$35,000, deposited by the commissioners.

"The securities that came to my hands of individual notes, as the property of the bank, were \$35,180.

"There was an entry on the minutes, that the cashier should be empowered to loan money. Mr. Hiram E. Howard, the cashier, charged himself with the \$35,000, in specie. Howard was appointed cashier in October, 1825. I think he resigned in November or December. There was one note of \$35,000, of persons residing in New York; this note was dated in October, 1825, and

payable in December. There was a note of \$180, of a stockholder residing here. No other funds came to my hands, but the subscription books and notes. There was no other entry authorising the loan of \$35,000, than the one authorising the cashier to loan. There had been no other paper discounted at the time I came into the bank. The note of \$35,000, was paid by a check on this bank, from a person whose account in bank was good for that amount, drawn April 13th, 1826. There were four or five thousand dollars, of specie, in the bank at that time, which was about as large a sum, in specie, as we had had at any time before. The \$35,000, certificate had been disposed of before I came into the bank; not one dollar issued when I came into it. The first money issue was dated the 21st of December, 1825, and some issued about the same time in exchange for specie, which exchanges were made by individuals, and not by the bank; some also exchanged in like manner for other bank paper. Deposits began soon after that time. The first loan after I was cashier, was on the 9th of February, 1826. A regular discount by the board of directors. I know of no other loan under the authority given to the cashier, except the \$35,000. I have not loaned any in that way. This power to the cashier has not been rescinded—the by-laws give the board power to authorise the cashier to loan. There have been no applications for loans under the 9th section of the act of 1814. Loans have been made for 60 and 90 days to farmers and mechanics.

“The note of \$35,000, was not renewed, nor was there any application for renewal, neither was it protested. The banking house was in such condition as enabled us to move into it in January, 1826. The amount of capital paid on stock, is \$57,390. The amount of money in circulation \$30,283, altogether—the residue is in the vaults. The business was done and the money kept in a common dwelling house, until the banking house was finished. \$9,265 were in circulation on the 15th of April, 1825, when the note of \$35,000 was taken up. Payments have been promptly made on loans. Five, six, or seven protests have been made; but these are chiefly settled now. I do not know of any loss by injudicious loans.”

It also appears from the bank books, that on the 3d of October, 1825, John E. Mowatt, was elected president, &c. Hiram E. Howard, cashier; and that the books of subscription to the capital stock of the Northern Bank of Pennsylvania, and the certificate of the deposit of \$35,000, made by the commissioners, were delivered over to the cashier, by Mr. Beaumont, in behalf of the commissioners.

It also appears by the by-laws of the bank, that the directors might authorise the cashier to loan and dispose of money; but we found no resolution of the board for that purpose.

It also appears from the books of the bank, that Hiram E. Howard, the cashier, charged himself with the certificate of \$35,000; and his account was credited with and balanced by \$35,000, loaned on the note of John T. Marcellis, endorsed by Henry Drake for

that sum, and dated the 10th of October, 1825. And it appears also upon the books that on the 13th of April, 1826, the note of John T. Marcellis was paid by the check of Gould Phinney, on the Northern Bank of Pennsylvania, for \$35,000, whose account in Bank was at that time good for that amount, and \$2,500 over.

It also appears that John E. Mowatt, President, and Hiram E. Howard, cashier, and James Mowatt, Henry Drake, and Jacob Shunnway, directors of said bank, resigned their offices; whereupon Gould Phinney was elected president, and Thomas Welles, cashier, and Oristus Collins, Henry W. Stone, Peter Graham, John Allworth, and James Vanning, were elected directors to supply the places of those who had resigned.

It also appears from the books, as well as from the testimony of the cashier, that the whole amount of discounts from the organization of the bank to the present time, is

\$120,702 24

And the amount paid on said discounts is

99,915 00

Leaving balance of discounts,

\$ 20,787 24

As a part of his testimony, the cashier of the bank furnished to the commissioners the following statement of the present condition of the bank:

November 3, 1826.

Bills discounted, \$20,787 24

Receipts of agents, 62,541 00

Foreign notes, 2,122 00

Specie, 1,751 55

Real estate, and bank furniture, 4,000 00

Bullion, 31 00

Balance profit and loss, 4,315 77

\$95,748 56

Stock paid, \$57,590 00

Notes in circulation, 30,285 00

Bills obligatory, 3,000 00

Deposits, including \$2016 to apply on A. Wight's receipt, 5,073 56

\$95,748 56

Copies of two receipts of A. Wight, one of the agents of the bank, in New York, and which are embraced in the above statement, amounting to \$61,000, are hereunto annexed, and marked 2 and 5.

From the statement of the cashier, there were in the hands of Robert Nichols \$1,541, which sum was composed of \$199 in notes of New Hope and Jersey banks, taken in order to be redeemed, and a promissory note in his hands for collection.

It also appears, from the statement of the cashier, that there had been deposited in said bank, to apply on the receipts of Mr. Wight, as above stated, \$2,016.

By information from one of the directors, not given under oath, we understand that the stockholders in New-York, agreed to pay on account of stock, to an agent in New-York, the sum of \$3,000, as a fund for the purpose of redeeming the paper of the Northern Bank of Pennsylvania. And A. Wight, who was selected as the agent, either upon the payment of the money by them, or upon their assurances that it should be paid to him, gave the officers of the bank to understand that it was paid, and gave his receipt to the bank, for that sum; and that a short time afterwards, Mr. Wight refused or neglected to redeem the money of said bank, nor would he give an account of his agency. The value of the balance of Wight's receipt of \$36,000, and his responsibility appears to be doubtful: Our informant says that there may be some loss on the receipt of \$25,000, of the paper of said bank, but it is supposed not to exceed \$5,000.

### PENNSYLVANIA.

*Luzerne county, ss.*

Personally came before me, the subscriber, Garrick Mallery, William Ward and James P. Bull, commissioners appointed to investigate the affairs of the Northern Bank of Pennsylvania, who being duly sworn, depose and say—that the preceding statement contains all the evidence, concerning the payment in specie of the sum of money required to be paid by the act of the 11th of April, 1825; and all the other facts and circumstances, relative to the affairs of the said bank, which they have been able to obtain, under the provisions of the act of the 10th of April, 1826.

GARRICK MALLERY,  
WM. WARD,  
JAMES P. BULL.

Sworn and subscribed, before me,  
the 17th day of November, 1826.

JOHN MYERS, *Justice of the Peace.*

### No. 1.

### STATE OF NEW-YORK.

*City of New-York, ss.*

John T. Smith, of said city, being duly sworn, doth depose and say, that he hath lately had a number of conversations, in relation to the affairs of the Northern Bank of Pennsylvania, with John E. Mowatt, Charles Mowatt and James Mowatt, of the city of New-York, the persons at whose instance, and for whose benefit, the greater part of the subscriptions to the stock of said bank, were made on the books of the commissioners;—that it was stated to this deponent, in the course of such conversations, that the certificate of the deposit of thirty-five thousand dollars, in specie, for the use



of the said Northern Bank of Pennsylvania, and which certificate was made by the Jersey Bank, was procured from said bank, by them, the Mowatts, and handed to the commissioners of the Northern Bank;—that the same was procured upon an express understanding with the Jersey Bank—that it should not be made use of, viz: that the funds therein mentioned should not be withdrawn from said Jersey Bank—that in pursuance of such agreement, at the first election of directors of the said Northern Bank, John E. Mowatt, of New-York, above named, was appointed president, and — Howard, also of New-York, cashier, of said Northern Bank, and the said certificate, thereupon, immediately returned by the said John E. Mowatt, to the Jersey Bank—that the same was so returned without any equivalent or consideration, to the Northern Bank; nor were the specie or funds, therein mentioned, or any part thereof, ever received by the Northern Bank, or ever came to its use—that the said Mowatt's expressed it, as their opinion, that the said Northern Bank is, and always has been, without efficient capital. All which statements the deponent verily believes to be true.

JNO. T. SMITH

Sworn before me, this 5d day of July, 1826.

SAML. G. RAYMOND,

*Commis'r. &c. and Not. Pub.*

I certify that the above named John T. Smith, is a respectable citizen of New York, and is well known to me, and that in my opinion, full faith and credit ought to be given to his statements.

P. W. ENGS,

*Assistant Alderman, 8th ward.*

*City and State of New-York, ss.*

The above named John T. Smith, being again sworn, saith, that he hath recently had a number of conversations with Mr. Kissam, the cashier of the Jersey Bank, in relation to the certificate issued by said bank, mentioned in the foregoing deposition, that Mr. Kissam expressly, and in terms, stated to this deponent, that he has no recollection of ever having given the certificate mentioned in the above affidavit, and that if the same ever was given by him, or in any way came under his observation, he could now recollect the fact; and further, that within the last two years, during all which time he was cashier of said bank, and in the daily habit of attending to its concerns, there never was, at any one time, the sum of thirty-five thousand dollars, or near that sum, in specie, in deposit in that bank, either the property of the bank, or of any person or per-

sons whomsoever;—that the deponent urged Mr. Kiasam to state the above facts, in writing, but that he declined so doing in the present situation of the bank.

JNO. T. SMITH.

Sworn this 17th day of August,  
A. D. 1826, before me.

SAML G. RAYMOND,

*Commis. Notary Public.*

## No. 2.

*New York, June 24, 1826.*

Received of the president and directors of the Northern Bank of Pennsylvania, thirty-six thousand dollars, for the following purposes, viz:

Twenty-five thousand dollars to be considered as a permanent fund to redeem the notes of said bank; and for which amount, or any part thereof, I will accept the drafts of the proper officers of said bank, at one day sight: provided the same be drawn for the purpose of redeeming or paying for the notes of the bank, that may be issued or loaned by me, as their agent, on condition that the officers of the bank shall transmit to me all bank notes that may be paid or redeemed, at the risk and expense of the bank, whenever the amount shall exceed two thousand dollars. The balance of said deposit, say eleven thousand dollars, may be loaned by me on pledges of the stock of said bank, or other stocks, or notes in such manner as I may think best for the interest of the said bank, it being understood that I am at liberty to exercise my own judgment and discretion in all loans, or disposal of the funds herein referred to, and that I am not to be accountable for any errors in judgment, or unavoidable accidents in holding, managing, or disposing of said funds. I also agree to accept drafts as aforesaid, and redeem the notes that may be otherwise issued by said bank, from time to time, as may be convenient: provided, that for all such drafts and notes thus redeemed, the said bank shall make reciprocal provision for exchanging or redeeming the same.

A. WIGHT.

## No. 3.

Received of the president and directors of the Northern Bank of Pennsylvania, twenty-five thousand dollars, in notes of said bank, to be used, loaned, exchanged, or disposed of, as agent for, and for the benefit of said bank; it being understood that I am not to be accountable for errors of judgment, or unavoidable accidents, in holding, loaning or disposing of the same.

A. WIGHT.

*New York, June 24, 1826.*



On motion,

Ordered, That the message and documents relative to the concerns of the Northern Bank of Pennsylvania, be referred to the committee on banks.

Bills numbered and entitled as follow, were severally read the third time and passed:

No. 28. "An act for the appointment of an inspector of pot and pearl ashes, for the port of Philadelphia, and for the regulation of the inspection of the same."

No. 30, "An act authorising the laying out a state road in Beaver and Mercer counties, and also in Beaver and Allegheny counties."

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

On motion of Mr. Ogle and Mr. Ryon,

The following resolution was twice read, considered, and unanimously adopted, viz.

Whereas on this day, twelve years ago, General Andrew Jackson fought and conquered the enemies of our country; thus elevating our national reputation throughout the civilized world, and holding up the stability of our republic to the admiration of freemen every where:

Therefore,

Resolved, That the Senate will now adjourn, to celebrate, in a becoming manner, the anniversary of the victory of New Orleans.

Adjourned until 11 o'clock, to-morrow morning.

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## TUESDAY, January 9, 1827.

Mr. Petrikin presented the petition of sundry citizens of Lycoming county, praying for the laying out and making of a state road from Pennsborough, in Lycoming county, to Berwick, in Columbia county.

Which was referred to Messrs. Petrikin, Hamilton and Ryon.

Mr. Logan presented the petition and documents of the directors of the theological seminary of the general synod of the

evangelical Lutheran church in the United States, located at Gettysburg, in this state, praying for an act of incorporation.

Which was referred to Messrs. Logan, Herbert and Seltzer.

Mr. Petrikin presented the petition of sundry electors of the township of Spring, in Centre county, praying that the place of holding their general elections, may be removed to the house of John Barr, in said township.

Which was referred to the committee on election districts.

Mr. Kelley presented the petition and documents of Mary Lenington, of Armstrong county, a widow of a revolutionary soldier, praying for relief.

Which were referred to the committee on claims.

Mr. Sutherland presented the petition of sundry citizens of the city and county of Philadelphia, praying that the Farmers and Mechanics association in Pennsylvania, may be incorporated.

Which was laid on the table.

The Speaker laid before the Senate, a letter from the Secretary of the Commonwealth, which was read as follows:

#### SECRETARY'S OFFICE.

January 9, 1827.

*Alexander Mahon, Esq.*

*Speaker of the Senate.*

SIR—I have to request you will be pleased to inform the Senate, that sundry documents, together with depositions, interrogatories and cross-examinations, taken in the case of Joseph Lester, Esq. a justice of the peace of the county of Northampton, before John Cooper, Esq. one of the associate judges of the court of common pleas of the said county, have this day been laid before the House of Representatives, pursuant to an act of the general assembly, passed the 14th day of January, 1804, entitled "An act directing the mode of taking testimony in cases of complaint against justices of the peace.

I have the honor to be,

Very respectfully, your ob't serv't.

L. D. BARNARD,

*Sec'y of Com'th.*

Laid on the table.

Mr. Seltzer, from the committee on the subject, on leave given, reported bill No. 52, entitled

"An act authorising the laying out a state road from widow Plesterer's tavern, in Warwick township, county of Lancaster, to Shaferstown, in the county of Lebanon."

Said bill was read the first time.

On motion of Mr. Ray and Mr. Mann,

Ordered, That an item of unfinished business, to be found on page 95 of the journal of last session, relative to incorporating the Mahanoy navigation company, be referred to the committee on roads, bridges and inland navigation.

The clerk of the House of Representatives being introduced, presented for concurrence, bill No. 58, entitled

"An act to improve a certain public road, crossing the Lehigh hills, opposite the village of Bethlehem, in Northampton county."

Said bill was read the first time.

He also returned bill No. 12, entitled

"An act relative to the election of constables in certain counties."

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

On motion of Mr. Kitchen and Mr. Hamilton,

The Senate proceeded to the second reading of the resolution relative to the improvement of the public ground attached to the state capitol.

The same being under consideration,

A motion was made by Mr. Mann and Mr. Duncan,

To postpone the resolution for the present.

Which was agreed to.

On motion of Mr. Seltzer and Mr. Allshouse,

The following resolution was twice read, considered and adopted, viz.

Whereas it has been represented to the Senate, that many of the books of the state library have been taken and improperly detained, or kept or lost, for remedy whereof be it

Resolved, That the committee on the state library, be directed to inquire into the expediency of reporting a bill for the better regulation and preservation of the books in the library of this commonwealth.

A motion was made by Mr. Ryon and Mr. Ogle, and read as follows, viz.

Whereas the right of freely and fearlessly expressing sentiments on all matters of public concernment, is guaranteed to the people by the constitution and laws of this happy country; and the subversion of this privilege would be an introduction to anarchy and aristocracy. And whereas the state of Pennsylvania is imperiously called upon to assume a tone and character in the voice of the nation, on the subject of the next presidential election, as well in obedience to the calls from other states, as in refutation of the numerous calumnies circulated by newspapers professing to be democratic.

in different parts of the union: Wherefore, we the representatives of the people of the state of Pennsylvania, with a perfect conviction that their sentiments were fully and fairly expressed at the democratic convention held at Harrisburg in 1824, and will, at the subsequent presidential election, remain firm and unaltered, be it

Resolved by the Senate and House of Representatives of the commonwealth of Pennsylvania in general assembly met, That the state of Pennsylvania, prepossessing unaltered confidence in the integrity, talents, and sound republican principles and patriotism of General Andrew Jackson, exhibited in all his public acts, will give him her undivided vote at the next presidential election.

Laid on the table.

A motion was made by Mr. Sutherland and Mr. Leech, and read as follows, viz.

Resolved, That the Clerk of the Senate be directed to pay out of the contingent fund, the postage on all printed documents relating to the internal improvement of the state, and all letters sent by the members to their constituents; and that the members sending such documents, indorse the number of sheets inclosed, and their names respectively, upon the envelope, and also their names on such letters.

On motion of Mr. Sutherland and Mr. Leech,  
Said resolution was read the second time.

The same being under consideration,

A motion was made by Mr. Dunlop and Mr. Mann,  
To amend the same, by striking therefrom these words, "relating to the internal improvement of the state."

Which was agreed to.

A motion was then made by Mr. Mann and Mr. Ray,

Further to amend the same, by striking therefrom all that follows the word "all," where it first occurs, and inserting the following, viz. "letters sent, and that the members sending such letters, indorse their names respectively thereon."

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Kerlin, and are as follow, viz.

YEAS.  
Messrs. Allshouse,  
Hawkins,  
Hay,  
Herbert,  
Hunt,  
Kerlin,  
King,  
Kitchin,

YEAS.  
Messrs. Mann,  
Moore,  
Power,  
Ray,  
Ryon,  
Sturgeon,  
Mahon, Speaker,

## YAYS.

Messrs. Audenried,  
Duncan,  
Dunlop,  
Garber,  
Hambright,  
Kelley,  
Knight,  
Leech,

## NAYS.

Messrs. Logan,  
Ogle,  
Petrikin,  
Schall,  
Seltzer,  
Sullivan,  
Sutherland,

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So it was determined in the negative.

A motion was then made by Mr. Sullivan and Mr. King,

Further to amend the resolution, by inserting, before the word "letters," where it first occurs, the word "single."

Which was agreed to.

On the question,

Will the Senate adopt the resolution as amended?

The yeas and nays were required by Mr. Allshouse and Mr. Hunt, and are as follow, viz.

## YEAS.

Messrs. Ogle,  
Petrikin,

## YEAS.

Messrs. Sutherland,

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## NAYS.

Messrs. Allshouse,  
Audenried,  
Duncan,  
Dunlop,  
Garber,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,  
Hunt,  
Kelley,  
Kerlin,  
King,

## NAYS.

Messrs. Kitchin,  
Knight,  
Leech,  
Logan,  
Mana,  
Moore,  
Power,  
Ray,  
Ryon,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,  
Mahon, speaker.

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So it was determined in the negative.

A motion was made by Mr. Ogle and Mr. Kelley,

That when the Senate adjourns, it will adjourn to meet again on Thursday, the 11th instant.

Which was agreed to.

A motion was made by Mr. Sullivan and Mr. Petrikin,

That the Senate re-consider the vote, postponing the question, until the first Monday in February, on agreeing to the report of the

chairman of the committee of the whole, on bill No. 56, from the House of Representatives, entitled,

"A supplement to the act entitled an act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning."

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Sullivan and Mr. Duncan,

To postpone the question for the present.

Which was agreed to.

Mr. M<sup>c</sup>Creery and Mr. Bonsall, a committee from the House of Representatives, being introduced, informed the Senate that the chamber of that house is now ready to receive the members of the Senate, in order to go into a joint meeting, for the purpose of electing a State Treasurer, for the current year.

Whereupon,

On motion of Messrs. Mann and Garber,

The Senate withdrew to the chamber of the House of Representatives for that purpose.

### *SAME DAY.*

The Senate having returned to their chamber,

Mr. Audenried, teller on the part of the Senate, to officiate at the election of a State Treasurer, made report as follows, viz:

That the convention, consisting of the speaker and members of the Senate, and the speaker and members of the House of Representatives, met this day, at twelve o'clock, in the chamber of the House of Representatives, the speaker of the House of Representatives, being president thereof, and proceeded to the election of a State Treasurer, for the current year; and the votes being taken, were as follow, viz:

Messrs. Allshouse, Audenried, Dunlop, Garber, Hambright, Hamilton, Hawkins, Hay, Herbert, Kelley, King, Kitchin, Knight, Leech, Logan, Mann, Moore, Ogle, Petriken, Power, Ray, Ryon, Schall, Seltzer, Sturgeon, Sullivan, Sutherland, Mahon, speaker, of the Senate—28; and

Messrs. Agnew, Alter, Atkinson, Aughinbaugh, Barber, Beatty, Becker, Bell, (Leb.) Bell, (West.) Berfolet, Binder, Bonner, Bonsall, Boyd, Boyer, Brown, (Allegh.) Brown, (Lan.) Burden, Buyers, Cooper, Cope, Cummin, Cunningham, Denny, Dillinger, Dorrance,

Duncan, Dunlap, Ellis, Evans, Fackenthal, Farrell, W. Foster, W. B. Forster, Gebhart, Good, Haines, Hergesheimer, Hetrick, Hottenstein, Ihrie, Irwin, James, Kennedy, Kerr, Krepps, Lauman, Lawson, Lehman, M'Bride, M'Clure, M'Greery, M'Sherry, Madden, Mallery, Martin, Matheys, Mont. Mathews, Cam. Matts, Meredith, G. Miller, J. Miller, Nicholson, Overholtzer, Patterson, Pearson, Pennypacker, Petrikin, Rahn, Ramsey, Rankin, Ringland, Scudder, Shannon, J. R. C. Smith, Snyder, P. Stephens, J. Stevens, Thomas, Thompson, Tutwiler, Walker, Whitlatch, Wilson, [Wise, Wolfersberger, Wolford, Woolverton, Ritner, speaker, of the House of Representatives, 90—voted for William Clark.

So it appeared that William Clark had 118 votes.

Whereupon,

The president of the convention announced to the members of both houses, that William Clark had received all the votes given, and was therefore unanimously elected state treasurer for the current year.

Triplicate certificates of said election were signed by the president, and attested by the teller of each house.

WILLIAM AUDENRIED,

Teller on the part of the Senate.

THOS. S. CUNNINGHAM,

Teller on the part of the House of Representatives.

Laid on the table.

Adjourned until 11 o'clock, on Thursday morning next.

## THURSDAY, January 11, 1827.

Mr. Duncan presented the memorial of the Chamber of Commerce of Philadelphia, on the subject of the complaints contained in the memorial of the pilots of the bay of Delaware.

Mr. Logan presented a memorial, praying for the repeal of the act relating to collateral inheritances.

Said memorials were laid on the table.

Mr. Duncan presented the petition of sundry inhabitants of the city and county of Philadelphia, praying for the repeal of the sev-

eral acts of the general assembly, regulating weights and measures, beams and scales, in the said city and county.

Said petition was referred to the committee already appointed on that subject.

Mr. Petrikin presented the petition and documents of Patrick M'Donald, of Centre county, praying to be divorced from the bonds of matrimony.

Which was referred to Messrs. Petrikin, King and Garber.

Mr. Logan presented the petition of the stockholders of the York Water Company, praying for certain alterations in their act of incorporation.

Which was referred to Messrs. Logan, Dunlop and Sturgeon.

Mr. Ryon presented a petition, praying for certain alterations in the act incorporating the Lackawanna and Susquehanna rail road company.

Which were referred to the committee already appointed on that subject.

Mr. Logan presented the memorial of the York, Pennsylvania volunteers, praying to be exempted from training with the militia on days of regimental training.

Which was read, and referred to the committee on the militia system.

Mr. Kelley presented the petition of sundry inhabitants of Indiana county, praying for a review of the state road, lying between the borough of Indiana and Port Johnson.

Mr. Kelley also presented a remonstrance against the prayer of the foregoing petition.

Said petition and remonstrance were referred to the committee on roads, bridges and inland navigation.

The committee on claims, to whom were referred the petition and documents of Jacob Shindle, reported:

That the petitioner states, that he marched from Lancaster, in the month of July, 1776, in captain Musser's company, to Trenton, in New Jersey, from thence to Elizabeth Point, and was organised under general Mercer, and served a two months' tour, and was finally discharged at Elizabeth Point. That he served some time afterwards in conveying prisoners to different parts of the colonies, making in all about five months; and that about eight years ago, he had his house destroyed by fire, in the borough of Strasburg, and that he is old and infirm, and unable to gain a living by manual labor; and therefore prays the legislature to grant him some relief. Your committee, however, after a careful examination of the petition and documents, are of the opinion that the prayer of the petitioner ought not to be granted; inasmuch as the services he performed were only in the militia, for the short term



of five months; and that, at several different periods, without being wounded or taken prisoner, or enduring any extraordinary hardships; and inasmuch as the legislature has not considered those who performed militia service entitled to a pension, unless they have performed some extraordinary services, they deem it inexpedient to grant a pension to the petitioner, and offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Mann and Mr. Ray,

The resolution attached to the above report, was read the second time, considered and adopted.

Mr. Petrikin, from the committee on the subject, on leave given, reported bill No. 55, entitled

"An act laying out a state road, from Pennsborough, in Lycoming county, to Berwick, in Columbia county."

Mr. Seltzer, from the committee on the subject, on leave given, reported bill No. 56, entitled

"An act to annul the marriage contract of Joseph Zuber and Mary (alias Ann Maria,) his wife."

Mr. Logan, from the committee on the subject, on leave given, reported bill No. 57, entitled

"An act incorporating the theological seminary of the general synod of the evangelical Lutheran church in the United States."

Mr. Kerlin read in his place, and on leave given, presented to the chair, bill No. 58, entitled,

"An act supplementary to the act entitled an act limiting the time during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers."

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follows, viz.

No. 59, "Resolution relative to the claims of revolutionary soldiers."

No. 60, "Resolution relative to the farther distribution of Purdon's Digest."

No. 61, "A supplement to an act relative to state roads therein mentioned," passed 5th April, 1826.

Said resolutions and bill were read the first time.

Bills from the House of Representatives, numbered and entitled as follow, were severally read the second time, and ordered to be prepared for the third reading:

No. 38, "An act concerning the proof and acknowledgment of deeds made abroad."

No. 41, "An act appropriating to internal improvement, certain depreciated paper in the treasury of this commonwealth."

On motion of Mr. Kerlin and Mr. Mann,

The Senate resumed the second reading and consideration of bill No. 43, entitled,

"An act to authorise the printing and distribution of an additional number of the pamphlet laws."

The fourth section being again under consideration.

On the question,

Will the Senate agree to the section?

It was determined in the negative.

The title was then considered and agreed to; and

On motion of Mr. Mann and Mr. Kerlin,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Petrikin and Mr. Garber,

The Senate resolved itself into a committee of the whole, Mr. Sturgeon in the chair, on bill No. 50, entitled

"An act to empower John Miles, and Joseph Miles, surviving executors of Samuel Miles, late of Montgomery county, deceased, to sell and convey certain real estate therein mentioned."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 11 o'clock, to-morrow morning.

**FRIDAY, January 12, 1827.**

Mr. Hunt presented the petition of the stockholders of the Bank of Chester county, praying for certain alterations in their act of incorporation.

Which was referred to the committee on banks.

Mr. Emlen presented the petition of the "Academy of natural sciences of Philadelphia," praying that their hall, and the lot of ground whereon it is erected, may be exempted from taxation.

Mr. Herbert presented the petition of sundry citizens of York, Adams and Cumberland counties, praying for the laying out a state road, from Dillsburg, in York county, to Berlin, in Adams county.

Mr. Emlen presented the memorial of the board of health of Philadelphia, praying for certain alterations in the quarantine laws.

Said petitions and memorial were laid on the table.

Mr. Kelley presented the petition of sundry citizens of Indiana county, praying for certain alterations in the road laws of this commonwealth.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Ogle presented the petition and documents of Robert Peling, a revolutionary soldier, praying for relief.

Which were referred to the committee on claims.

Mr. Audenried read in his place, and on leave given, presented to the chair bill No. 62, entitled

"A supplement to the act entitled an act to authorise the governor to incorporate a company to make a lock navigation on the east branch of the river Schuylkill, called the Little Schuylkill."

Said bill was read the first time.

Bill No. 38, from the House of Representatives, entitled

"An act concerning the proof and acknowledgment of deeds made abroad,"

Was read the third time and passed.

Bill No. 41, from the House of Representatives, entitled

"An act appropriating to internal improvement, certain depreciated paper in the treasury of this commonwealth,"

Was read the third time,

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Seltzer and Mr. Mann, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Duncan, Dunlop, Garber, Hambright, Hamilton, Hawkins, Hay, Kelley, King, Knight, Leech,	Messrs. Logan, Moore, Ogle, Petrikin, Power, Ryon, Schall, Sturgeon, Sullivan, Sutherland, Winter, Mahon, speaker.
NAYS.	NAYS.
Messrs. Emlen, Hunt, Kerlin, Kitchin,	Messrs. Mann, Ray, Seltzer,

So it was determined in the affirmative.

Ordered, That the Clerk return said bills to the House of Representatives, with information that the Senate have passed the same without amendments.

Bill No. 50, entitled

"An act to empower John Miles and Joseph Miles, surviving executors of Samuel Miles, late of Montgomery county, deceased, to sell and convey certain real estate therein mentioned,"

Was read the second time, and

Ordered to be transcribed for the third reading.

On motion of Mr. Sullivan and Mr. Leech,

The Senate resumed the consideration of the motion to reconsider the vote postponing the question to the first Monday of February, on agreeing to the report of the chairman of the committee of the whole, negating bill No. 56, from the House of Representatives, entitled

"A supplement to the act entitled an act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning."

The question recurring,  
Will the Senate agree to re-consider?

It was determined in the affirmative.

The question recurring,

Will the Senate postpone the question, until the first Monday in February, on agreeing to the report of the chairman of the committee of the whole?

It was determined in the negative.

The question then recurring,

Will the Senate agree to the report of the chairman of the committee of the whole?

The yeas and nays were required by Mr. Mann and Mr. Allshouse, and are as follow, viz.

## YEAS.

Messrs. Allshouse,  
Hawkins,  
Herbert,  
Hunt,  
Kerlin,

## YEAS.

Messrs. Kitchin,  
Mann,  
Ray,  
Sturgeon,

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## NAYS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hamilton,  
Hay,  
Kelley,  
Knight,  
Leech,  
Logan,

## NAYS.

Messrs. Moore,  
Ogle,  
Petrikin,  
Power,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, Speaker,

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So it was determined in the negative.

The Clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled

No. 65, "An act for the relief of Mary Nagle, and Catharine Miller, widows of revolutionary soldiers."

Said bill was read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Sullivan in the chair, on bill No. 42, from the House of Representatives, entitled

"An act for the preservation of the records in the office of the deputy surveyor, in the county of Washington, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Sutherland in the chair, on bill No. 51, from the House of Representatives, entitled

"An act to incorporate the borough of Muncey, in Lycoming county."

After some time,

The committee rose and the chairman reported the bill with amendments

On motion of Mr. Duncan and Mr. Leech,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on bill No. 46, from the House of Representatives, entitled

"A supplement to the act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia, passed the third day of March, 1818."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Duncan and Mr. Sullivan,

Said bill was read the second time; and

On motion of Mr. Sutherland and Mr. Petrikin,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the clerk return the said bill to the House of Representatives, with information that the Senate has passed the same with amendments, in which the concurrence of that house is requested.

On motion of Mr. Mann and Mr. Kerlin,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 35, from the House of Representatives, entitled

"A further supplement to an act regulating hawkers and pedlers."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 11 o'clock, to-morrow morning.

**SATURDAY, January 13, 1827.**

Mr. Mann presented the petition of sundry citizens of Montgomery county, praying for legislative aid to erect a bridge over the river Schuylkill, at the borough of Norristown, in said county.

Which was referred to Messrs. Mann, King and Winter.

Mr. Ryon presented two petitions, of similar tenor, from sundry citizens of Tioga county, praying for the passage of an act to incorporate a company, with the privilege of mining, manufacturing and banking, to be styled "The Tioga Coal and Iron Company."

Said petitions were referred to the committee on roads, bridges and inland navigation.

Mr. Emlen presented the petition and documents of William Pool, of the city of Philadelphia, praying that a law may be passed, to enable him to recover a sum of money from the Perry Beneficial Society of Pennsylvania, against which he has obtained judgment.

Which were referred to Messrs. Emlen, Dunlop and Ray.

Mr. Duncan presented the petition of sundry citizens of the city and county of Philadelphia, praying for the repeal of the laws relating to weights and measures, beams and scales.

Which was referred to the committee already appointed on that subject.

Mr. Kelley presented the petition and documents of William Houston, of Indiana county, praying for relief.

Which were referred to Messrs. Kelley, Ogle and Herbert.

Mr. Hambright presented a petition, praying for the repeal of the law relating to collateral inheritances.

Mr. Herbert presented the petition of sundry citizens of Adams county, praying for the repeal of the law reviving the circuit courts throughout this commonwealth, so far as relates to said county.

Mr. Duncan presented a petition, praying for the incorporation of a company, for making a canal to connect the rivers Delaware and Schuylkill, through the southern section of Philadelphia county.

Mr. Emlen presented a petition of similar tenor with the foregoing.

Mr. Herbert presented the petition of the trustees of the Gettysburg academy, praying for authority to raise, by way of lottery, a sum of money, in aid of said academy.

Said petitions were laid on the table.

Mr. Garber presented an abstract of the affairs of the Lewistown and Kishacoquillas Turnpike Road Company, which was read as follows, viz.

*To the honorable the Senate and House of Representatives of the commonwealth of Pennsylvania.*

In pursuance of the several acts of assembly, prescribing the duties of the president and managers of the Lewistown and Kishacoquillas Turnpike Road Company, I am directed, by the board of managers, to transmit to the general assembly, the following abstract of the affairs of the said company:

Capital expended in making said road,	\$ 25,400 00
Tolls received, from the first day of January, till the 31st day of December, 1826, both days inclusive,	1,914 87
Repairs, wages of gate-keepers, and all other incidental expenses,	764 16

Nett amount of tolls received, from the 1st day of January, till the 31st day of December, 1826,	\$ 1,150 71
--	-------------

By order of the board,

SAMUEL MACLAY, Pres't.

Attest,

HENRY CONLEY, Treas'r.

December 31, 1826.

Laid on the table.

The Speaker laid before the Senate a statement of the affairs of the Ridge Turnpike Company, for the year 1826, which was read as follows, viz.

*Statement of the affairs of the RIDGE TURNPIKE COMPANY. for the year 1826.*

Balance in treasurer's hands, 1st January,	\$ 419 05
Tolls in 1826,	9,778 24
A scow sold,	35 00
	<hr/> 10,232 29

PAYMENTS.

Repairs,	7,599 63
Salaries,	2,133 76
Expenses,	199 41
	<hr/> 9,932 80

Balance in treasurer's hands, 1st January, 1827,	\$ 299 49
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## DEBTS.

Principal,	\$104,673 46
Interest owing up to first January, 1827,	40,024 88
	<hr/>
	\$144,698 34

Errors excepted.

THOS. H. WHITE, Treas'r.

*Philadelphia Jan. 1, 1827.*

Amount owing by superintendants for repairs not yet reported  
supposed about 3 or 400 dollars.

*City of Philadelphia, ss.*

Before me, William Milnor, one of the aldermen for the city of Philadelphia, personally appeared Thos. H. White, who, being duly sworn, declared the above to be a true statement of the receipts and payments by the Ridge Turnpike Company, for the last year, and of all the debts owing by them.

THOS. H. WHITE.

Sworn and subscribed before me,  
this 6th day of January, 1827.

WILLIAM MILNOR, Ald'r.

*January 6, 1827.*

Laid on the table.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported bill No. 64, entitled

"An act authorising the governor to incorporate the Mahanoy navigation company."

Mr. Ogle read in his place, and on leave given, presented to the chair, bill No. 65, entitled

"An act for the relief and comfort of the poor."

Said bills were read the first time.

Bill No. 50, entitled

"An act to empower John Miles, and Joseph Miles, surviving executors of Samuel Miles, late of Montgomery county, deceased, to sell and convey certain real estate therein mentioned,"

Was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Bill No. 36, from the House of Representatives, entitled

"A supplement to the act entitled an act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning,"

Was read the second time, and

The first and only section being under consideration,

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Kitchin and Mr. Mann, and are as follow, viz.

**YEAS.**  
Messrs. Allishouse,  
Emlen,  
Garber,  
Hambright,  
Hamilton,  
Hay,  
Herbert,  
Kelley,  
King,  
Knight,

**YEAS.**  
Messrs. Leech,  
Moore,  
Ogle,  
Power,  
Ryon,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, Speaker.

**NAYS.**  
Messrs. Hawkins,  
Hunt,  
Kerlin,  
Kitchin,  
Mann,

**NAYS.**  
Messrs. Ray,  
Schall,  
Saltzer,  
Sturgeon,

9.

So it was determined in the affirmative.

The title being under consideration,

A motion was made by Mr. Ryon and Mr. Mann,

To postpone the same, for the purpose of introducing the following, to be called section 2.

Section 2. And be it further enacted by the authority aforesaid, That the governor be and he is hereby authorised and required, in behalf of this commonwealth, to subscribe for three hundred shares, at fifty dollars per share, of the stock of the Abington and Waterford turnpike road company, to be drawn by warrants, in the usual manner, on the state treasurer, and to be paid to the president and managers of said company.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ryon and Mr. Mann, and are as follow, viz.

**YEAS.**  
Messrs. Dunlop,  
Emlen,  
Hambright,  
Herbert,  
Kitchin,  
Mann,  
Moore,

**YEAS.**  
Messrs. Petrikin,  
Ray,  
Ryon,  
Seltzer,  
Sturgeon,  
Sutherland,

18.

## NAYS.

Messrs. Allshouse,  
Garber,  
Hamilton,  
Hawkins,  
Hay,  
Hunt,  
Kelley,  
Kerlin,  
King,

## NAYS.

Messrs. Knight,  
Leech,  
Ogle,  
Power,  
Schall,  
Sullivan,  
Winter,  
Mahon, speaker. 17.

So it was determined in the negative.

The question recurring,

Will the Senate agree to the title?

A motion was made by Mr. Dunlop and Mr. Kitchin,

To postpone the question, for the purpose of introducing the following, to be called section 2, viz.

That the state treasurer shall pay to the president, managers and company of the Chambersburg and Bedford turnpike road company, the sum of seventy thousand dollars, to be applied to the discharge of the debts of said company: Provided, that the stockholders of said company, shall previously transfer to the state, one-half of their stock in said company.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Dunlop and Mr. Kerlin, and are as follow, viz.

## YEAS.

Messrs. Dunlop,  
Herbert,  
Kitchin,

## YEAS.

Messrs. Mann,  
Ryon,  
Mahon, speaker, 6.

## NAYS.

Messrs. Allshouse,  
Audenried,  
Duncan,  
Emlen,  
Garber,  
Hamilton,  
Hawkins,  
Hay,  
Hunt,  
Kelley,  
Kerlin,  
King,

## NAYS.

Messrs. Knight,  
Leech,  
Moore,  
Petrikin,  
Power,  
Ray,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,  
Sutherland,  
Winter, 24.

So it was determined in the negative.

The question again recurring,  
Will the Senate agree to the title?  
It was determined in the affirmative.

On the question,  
Shall this bill be prepared for the third reading?

The yeas and nays were required by Mr. Dunlop and Mr. Mann,  
and are as follow, viz.

## YEAS.

Messrs. Allshouse,  
Audenried,  
Duncan,  
Emlen,  
Garbor,  
Hamilton,  
Hay,  
Herbert,  
Kelley,  
King,  
Knight,

## NAYS.

Messrs. Dunlop,  
Hawkins,  
Hunt,  
Kerlin,  
Kitchin,

## YEAS.

Messrs. Leech,  
Moore,  
Ogle,  
Petrikin,  
Power,  
Schall,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, speaker, 21.

## NAYS.

Messrs. Mann,  
Ray,  
Ryon,  
Seltzer,  
Sturgeon, 10.

So it was determined in the affirmative.

Bill No. 51, from the House of Representatives, entitled  
"An act to incorporate the borough of Muncey, in Lycoming  
county."

Was read the second time; and

Ordered, To be prepared for the third reading.

Bill No. 35, from the House of Representatives, entitled  
"A farther supplement to an act regulating hawkers and ped-  
lers,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Hunt and Mr. Sturgeon,

To amend the same by adding thereto the following proviso, viz.

"And provided further, That nothing herein contained shall ex-  
tend or be construed to extend to hinder any person or persons,  
within this commonwealth, from selling or exposing to sale, or from  
carrying about from town to town, and from house to house, any  
goods, wares or merchandise, being of the growth, product or man-

ufacture of this state or of the United States; but such person or persons may do therein, as they lawfully might have done before the passage of this act, any thing herein contained, to the contrary, notwithstanding."

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Sutherland and Mr. Dunlop,

That the proviso, together with the bill be committed to a committee.

Which was agreed to. And,

Ordered, That Messrs. Sutherland, Mann, Sullivan, Duncan and Herbert, be the committee.

Resolution on which no order had been taken, No. 53, entitled

"Resolution recommending General Andrew Jackson, as a candidate for president, to be supported by the state of Pennsylvania, at the next presidential election."

On the question,

What day will the Senate assign for the order of this resolution?

Mr. Emlen named the first day of May next.

Mr. Sutherland named Friday next.

Mr. Duncan named Monday next.

On the question being put, shall the resolution be an order of the day for the first day of May next,

The yeas and nays were required by Mr. Sutherland and Mr. Power, and are as follow, viz..

## YEAS.

Messrs. Audenried,  
Duncan,  
Emlen,  
Garber,  
Hunt,  
Kelley,

## NAYS.

Messrs. Allshouse,  
Dunlop,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,  
King,  
Mann,  
Moore,

## YEAS.

Messrs. Kerlin,  
Kitchin,  
Knight,  
Leech,  
Petrikio,  
Schall,

12.

## NAYS.

Messrs. Ogle,  
Power,  
Ray,  
Ryon,  
Seltzer,  
Sturgeon,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, speaker,

20.

So it was determined in the negative.

On the question,  
Shall the resolution be made an order of the day for Friday next?

It was determined in the affirmative.

Adjourned until 11 o'clock, on Monday morning next.

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## MONDAY, January 15, 1827.

Mr. Ryon presented the petition of the inhabitants and proprietors of the township of Springfield, one of the Seventeen Townships, in the county of Luzerne, praying for relief.

Which was referred to Messrs. Ryon, Kelley and Moore.

Mr. Duncan presented the petition of sundry merchants, underwriters and persons otherwise connected with the commerce of the port of Philadelphia, praying for the passage of the bill, entitled "A further supplement to the act, entitled an act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

Mr. Hawkins presented the remonstrance of sundry citizens of Washington and Allegheny counties, against laying out a state road from Pittsburg, to the state line, in the direction of Steubenville.

Mr. Emlen presented the petition of the Commercial Bank of Pennsylvania, praying for certain alterations in their act of incorporation.

Mr. Hay presented the petition of sundry citizens of the city and county of Philadelphia, praying for the incorporation of a company for making a canal to connect the rivers Delaware and Schuylkill, through the southern section of Philadelphia county.

Mr. Kelley presented the petition of Charles Campbell, of Indiana county, praying for relief.

Said petitions and remonstrances were laid on the table.

Mr. Ray presented the petition of sundry citizens of Union county, praying for legislative aid, in the erection of an academy in said county.

Which was referred to the committee on education.

The speaker laid before the senate a letter, accompanied with a document, from John M. Scott and Joshua Percival, presidents of the select and common councils of the city of Philadelphia.

Which were read as follow, viz.

*To the Honorable the  
Speaker of the Senate of Pennsylvania.*

*Philadelphia, January 11, 1827.*

SIR—

The enclosed resolution has been passed this evening, by the unanimous vote of the select and common councils of the city of Philadelphia. We have the honor to transmit it to you in obedience to the direction of those bodies.

We are, with great respect,

Your most obedient servants,

JOHN M. SCOTT,

President of the select council.

JOSHUA PERCIVAL,

President of the common council.

At a meeting of the select and common councils of the city of Philadelphia, held January 11, 1827, the following resolutions were adopted unanimously:

Resolved by the select and common councils, That if the seat of the state government shall be removed to the city of Philadelphia, the faith of the city is hereby pledged to furnish convenient accommodations, at the expense of the said city, for the legislature and public offices.

Resolved by the authority aforesaid, That the presidents of councils be requested to transmit a copy of the foregoing resolution, to his excellency the governor, the speaker of the senate, and the speaker of the house of representatives.

JOHN C. LOWBER,

Clerk of the common council.

Laid on the table.

Mr. Emlen, from the committee on banks, reported bill No. 66, entitled

"A further supplement to the act, entitled an act to re-charter certain banks."

Said bill was read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill, entitled as follow:

No. 67. "An act to declare the uses of certain bonds."

Said bill was read the first time.

Bills from the House of Representatives, numbered and entitled as follow, were severally read the third time and passed.

No. 56, "A supplement to the act entitled "An act to incorporate a company, for making a turnpike road from Butler to the Allegheny river, opposite Kittaning.

No. 51, "An act to incorporate the borough of Muhcey, in Lycoming county."

Ordered, That the clerk return the said bills to the House of Representatives, with information that the Senate have passed the first without and the latter with amendments, in which the concurrence of that house is requested.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 24, entitled

"An act for the construction of the Delaware and Schuylkill canal, at or near the city of Philadelphia."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 44, entitled

"An act to make valid a certain deed, from the administrator of Henry Snyder, deceased, to Michael Simon.

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Emlen in the chair, on resolution No. 59, from the House of Representatives, entitled

"Resolution relative to the claims of revolutionary soldiers."

After some time,

The committee rose, and the chairman reported the resolution without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Garber in the chair, on Bill No. 63, from the House of Representatives, entitled

"An act for the relief of Mary Nagle, and Catharine Miller, widows of revolutionary soldiers."

After some time,

The committee rose, and the chairman reported the bill without amendments.



Jan. 16.

THE SENATE.

507

On motion of Mr. Mann and Mr. Ryon,

Said bill was read the second time; and

On motion of Mr. Knight and Mr. Mann,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendments.

Adjourned until 11 o'clock, to-morrow morning.

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TUESDAY, January 16, 1827,

Mr. Mann presented documents in support of the claim of James Murphy, a soldier of the revolution.

Mr. Hambright presented documents in support of the claim of Dr. Isaac Gibson, a surgeon of the revolution.

Said documents were referred to the committee on claims.

Mr. Sutherland presented the petition of sundry citizens of Philadelphia, in support of the claims of revolutionary soldiers.

Which was laid on the table.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the governor, for his approbation, the bills numbered and entitled as follow, to wit:

No. 38, "An act concerning the proof and acknowledgment of deeds made abroad,"

No. 41, "An act appropriating to internal improvement, certain depreciated paper in the treasury of this commonwealth."

Laid on the table.

Bills from the House of Representatives, numbered and entitled as follow, were severally read the third time and passed.

No. 56, "A supplement to the act entitled "An act to incorporate a company, for making a turnpike road from Butler to the Allegheny river, opposite Kittanning.

No. 51, "An act to incorporate the borough of Muhcey, in Lycoming county."

Ordered, That the clerk return the said bills to the House of Representatives, with information that the Senate have passed the first without and the latter with amendments, in which the concurrence of that house is requested.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 24, entitled

"An act for the construction of the Delaware and Schuylkill canal, at or near the city of Philadelphia."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 44, entitled

"An act to make valid a certain deed, from the administrator of Henry Snyder, deceased, to Michael Simon.

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Emlen in the chair, on resolution No. 59, from the House of Representatives, entitled

"Resolution relative to the claims of revolutionary soldiers."

After some time,

The committee rose, and the chairman reported the resolution without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No. 63, from the House of Representatives, entitled

"An act for the relief of Mary Nagle, and Catharine Miller, widows of revolutionary soldiers."

After some time,

The committee rose, and the chairman reported the bill without amendments.

Jan. 16.

THE SENATE.

307

On motion of Mr. Mann and Mr. Ryon,

Said bill was read the second time; and

On motion of Mr. Knight and Mr. Mann,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendments.

Adjourned until 11 o'clock, to-morrow morning.

---

TUESDAY, January 16, 1827,

Mr. Mann presented documents in support of the claim of James Murphy, a soldier of the revolution.

Mr. Hambright presented documents in support of the claim of Dr. Isaac Gibson, a surgeon of the revolution.

Said documents were referred to the committee on claims.

Mr. Sutherland presented the petition of sundry citizens of Philadelphia, in support of the claims of revolutionary soldiers.

Which was laid on the table.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the governor, for his approbation, the bills numbered and entitled as follow, to wit:

No. 38, "An act concerning the proof and acknowledgment of deeds made abroad,"

No. 41, "An act appropriating to internal improvement, certain depreciated paper in the treasury of this commonwealth."

Laid on the table.

Mr. Logan, from the committee on the subject, on leave given, reported bill No. 68, entitled

"A supplement to an act, entitled an act authorising the governor to incorporate the York Water Company," passed the eighth day of February, one thousand eight hundred and sixteen.

Mr. Kitchin from the committee on education, reported bill No. 69, entitled,

"An act to establish an academy in the town of Mifflinburg, in the county of Union."

Mr. Emlen read in his place, and on leave given, presented to the chair, bill No. 70, entitled,

"An act to prevent the failure of trusts, and for other purposes."

Said bills were read the first time.

Bill No. 24, entitled

"An act for the construction of the Delaware and Schuylkill canal, at or near the city of Philadelphia."

Was read the second time.

The sections were severally considered and agreed to.

The title was considered and agreed to, after being amended by inserting after the word "act," these words, "incorporating a company,"

Bill No. 44, entitled

"An act to make valid a certain deed from the administrator of Henry Snyder, deceased, to Michael Simon,"

Was read the second time; and,

Ordered, That said bills be transcribed for the third reading.

Resolution No. 59, from the House of Representatives, entitled

"Resolution relative to the claims of revolutionary soldiers,"

Was read the second time.

The resolve was considered and agreed to.

The preamble being under consideration.

A motion was made by Mr. Emlen and Mr. Petrikin,

To amend the same, by striking out of the tenth line, the word "periled" and inserting in lieu thereof, the word "risked."

Which was agreed to.

The preamble and title were then agreed to; and

On motion of Mr. Ogle and Mr. Garber,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with,

Said resolution was read the third time and passed.

Ordered, That the Clerk return said resolution to the House of Representatives, with information that the senate have passed the same with an amendment in which the concurrence of that house is requested.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hambright in the chair, on bill No. 33, entitled

"An act abolishing the Middle, Southern and Lancaster districts of the supreme court, and establishing one at Harrisburg."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 40, entitled

"An act authorising the laying out a state road from Billsburg, in the county of York, to the town of Berlin, in Adams county."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Power in the chair, on bill No. 31, entitled

"A supplement to the act, entitled an act to erect the town of Chester and its vicinity, in the county of Delaware, into a borough, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

The Clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follow, viz.

No. 71, "A supplement to an act, entitled an act for establishing a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and other purposes.

No. 72, "An act authorising the sale of the real estate of Andrew Hamilton, deceased."

No. 73, "An act for the relief of William Lemmon and Andrew Shuster, revolutionary soldiers."

He also returned the bill No. 13, entitled

"An act to provide for the copying or transcribing of certain dockets or books of record, of the court of common pleas, of Adams county,"

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said bills and amendments were read the first time.

And further informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill No. 51, from the House of Representatives, entitled

"An act to incorporate the borough of Muncy, in Lycoming county."

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

### WEDNESDAY, January 17, 1827.

Mr. Knight presented two petitions, signed by the managers of the Washington and Pittsburg turnpike road, the one praying for the extension of their charter, and the other praying that the balance of the state appropriation, remaining in the state treasury, may be paid in advance.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Moore presented the remonstrance of sundry citizens of Columbia county, against abolishing the middle district of the supreme court.

Mr. Ryon presented two petitions, of similar tenor, praying for certain alterations in the act incorporating the Lackawanna and Susquehanna rail road company.

Said remonstrance and petitions were laid on the table.

The Speaker laid before the Senate a letter, accompanied with documents, from the Secretary of the Commonwealth, which were read as follow, viz.

#### SECRETARY'S OFFICE.

January 17, 1827.

Alexander Mahon, Esquire,

Speaker of the Senate of Pennsylvania.

SIR—

In obedience to the provisions of the acts of assembly, to improve the navigation of the Susquehanna river, I have the honor to lay

before the legislature, a copy of a report of the commissioners appointed by the act of 51st March, 1823, accompanied with documents, numbered one to eight, inclusive, filed in the office of the secretary of the commonwealth.

I have the honor to be,

With much respect,

Your obedient servant.

I. D. BARNARD.

*To the Secretary of the Commonwealth of Pennsylvania.*

The commissioners for the improvement of the river Susquehanna, further report:

That they conceive it their duty, for the information of the legislature, and those who feel themselves interested in a free and uninterrupted navigation, to submit a correspondence they had with Mr. Mowry, acting canal commissioner, together with letters and certificates, from a number of gentlemen who are conversant with the river, relative to the effects of obstructing the ascending navigation at Hunter's falls. This they are induced to submit, in consequence of Mr. Mowry reporting the correspondence with him, only in part. It will be seen, that Mr. Mowry, in his letter of the 18th of September last, says that the chanuel at Hunter's falls, is of no consequence, and could be but a choice of difficulties to boatmen in ascending the river. If, upon examination, it should be found, that the commissioners have, in any way, interfered with the rights of Mr. Mowry, or assumed any power that they were not invested with, either as commissioners or private citizens, and are only entitled to that respect and politeness shewn them in Mr. Mowry's letter, they will cheerfully submit.

To prevent any further altercation between the two boards of commissioners, they would earnestly recommend to the consideration of the legislature, the passage of a law to authorise the appointment of three respectable and experienced watermen, and make it the duty of the canal commissioners, before they commence any work within the banks of the river, or construct any dam, or other devices, for the purpose of conveying water into the canal, that they shall give notice to the persons so appointed, whose duty it shall be to examine the contemplated location, and make report to the governor, whether it will any way injure the navigation; and if so what improvements are necessary to make the navigation as good as it was. For, without any disparagement to the character of the canal commissioners, or their engineers, none of them have a proper knowledge of the several channels of the river, used by watermen at its different stages of high, middle and low water; nor do they know at what points they might injure the navigation; which, no doubt, they would avoid, provided they were in possession of the proper information. For it must be obvious, that to depend on the opinions of persons unacquainted with the

river, the people's rights may not be protected in a free and uninterrupted navigation. The mode suggested, they believe the most reasonable, and will render general satisfaction.

JOHN M'MEENS,  
SAMUEL H. WILSON,  
*Susquehanna Comm'rs.*

*Harrisburg, Jan. 15, 1827.*

## No. 1.

*Harrisburg, Sept. 18, 1826.*

DEAR SIR—In the location of the stone wall of the canal at Hunter's falls, the ascending navigation of the river is very much injured, if not completely destroyed; particularly at what is known by the name of the Big-rock. At the best stage of the river for boating, it will be almost impossible for a boat to pass up on the outside of the rock, without exposing the property to great danger. There is no way to remedy the evil, but by removing the rock; which, if done, will make it necessary to remove some rocks below, or otherwise make the descending navigation considerably more dangerous than at present. We therefore feel confident, that as soon as you are acquainted with these facts, that every exertion will be made, on your part, to have the obstructions removed, which have been made by the location of the canal. We assure you that we are by no means enemies to the canal, and will, at all times, submit to any advantage the canal may derive, by making use of the shore or the waters of the Susquehanna, provided that in so doing, the navigation of the river is in no way injured, which we consider, by the authority of our appointment, bound to protect. Please to advise us of your intentions.

Yours respectfully,

JOHN M'MEENS,  
SAMUEL H. WILSON.

*Charles Mowry, Esquire,  
Acting Com'r. of Penn'a. Canal.*

## No. 2.

### ACTING CANAL COMMISSIONER'S OFFICE.

*Harrisburg, Sept. 18, 1826.*

GENTLEMEN—Yours of this date is now before me, complaining that, in the location of the stone wall of the canal, at Hunter's falls, the ascending navigation of the river is very much injured, if not completely destroyed, particularly at what is known by the name of the Big-rock, and requesting an answer. This is contrary to any information which I have had on the subject; and certain it is, that the miserable channel on the shore side of the rock, which was entirely filled up when the wall was commenced, was but a choice of difficulties to the boatmen, for I have seen myself



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THE SENATE.

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at the same moment boats going up on the shore side of the rock, and in the river, and it did appear to me that the outer boat had the least difficulty. The location of the Pennsylvania Canal was an act of the board, and it is not within the scope of my power to alter it. My duties relate to other objects, to which my attention is fully devoted. It may be remarked, however, that the board of canal commissioners was constructed for the express purpose of making a better navigation along the Susquehanna, and not to obstruct that which already exists; nor is it to be tolerated that they entertain so little regard for the public interest, as to permit any obstruction to be thrown into the natural channel of the river, even to construct that better navigation which they are charged to accomplish. If it should be found that such injury will result from their work, as is anticipated in your letter of this morning, they will doubtless create the remedy, which the law, under which they act, requires. I shall communicate a copy of your letter to the president of the board, and in the mean time will make personal enquiries on the subject.

Very respectfully,

C. MOWRY,

*Acting Comm'r. Eastern div. Penn'a. Canal.*

*John M. Meens, and*

*Samuel H. Wilson, Esqs.*

*River Commissioners.*

No. 3.

*Harrisburg, October 17, 1826.*

DEAR SIR—As the season is very far advanced that work on the Susquehanna can be done, we are desirous to know what measures you have taken, if any, to have the obstructions removed, occasioned by the location of the canal at Hunter's falls. We have received a number of letters and certificates, from experienced watermen, in which they state, that it will be impossible to ascend the river at that point, unless the obstructions are removed; which makes it actually necessary, that before the opening of the spring, the navigation should be made as good as it was. Your answer will be expected immediately.

Yours respectfully,

JOHN M. MEENS,

SAMUEL H. WILSON.

*Charles Mowry, Esq.*

No. 4.

PENNSYLVANIA CANAL OFFICE.

*Harrisburg, October 18, 1826.*

GENTLEMEN—Your letter of yesterday I received late last evening. Waiving all question as to the accountability of the canal commissioners to the river commissioners, in the discharge of the

duties assigned them, I will only state, that I am persuaded, had the experienced watermen been as free in furnishing you with letters and certificates of the measures taken by the canal commissioners, to remove obstructions to the navigation at Hunter's falls, as they appear to have been in complaining of obstructions, you might have been saved the trouble of your letter; or had you mentioned the subject to me verbally, when I was in company with you both, the other day, it might have answered the same purpose. It must be notorious to every observer who travels the turnpike, that the rock near Armstrong's, has been, or is in the progress of being blasted away, on the outside of the wall, in such manner as will render the ascending navigation, in high water, better than it ever was; and in low water, that channel could never be used by boats.

It is singular, that while you are burthened with complaints on this subject, the canal commissioners have never heard a murmur. It appears to me the applications for redress have been misdirected. That, however, cannot be your fault.

It is undoubtedly the wish of the board, to cherish the most friendly feelings with the river commissioners, and they are not ignorant, that if they find it necessary, in the prosecution of their work, to destroy a navigable channel in the Susquehanna, they are bound by law to make as good an one. If the law were not such, their sense of justice, and their regard for the interests of the inhabitants on the waters of that river, would induce them to do it. While I undertake to assert this as the sense and sentiments of the board, I must beg leave to state, that I am not clothed with plenary powers, to negotiate with the river commissioners on the subject, if they were the proper authority to call us to account; nor do I see the necessity of keeping up a formal correspondence in the case.

Very respectfully,

C. MOWRY,

*Acting Canal Comm'r. Eastern section.*

*John M. Meens, and*

*Samuel H. Wilson, Esqs.*

*River Commissioners.*

Nd. 5.

*White Deer, Lycoming, Sept. 21, 1826.*

DEAR SIR—I take the liberty of informing you what I have heard respecting the improvement of the river at Hunter's falls; that is, I am informed by good authority, that by examining the canal at that place, that it entirely closes up the shore course, which is the only safe course for ascending that place in the best stage of water. I will take the liberty of stating to you a circumstance which took place in June last. I was ascending the river, in company with a Mr. Hart, from the Juniata. We came on with safety and ease, until we arrived at Hunter's falls.

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Unfortunately there was a stone coal ark sunk in the shore course. The owner was there; he requested us to go out around the outside rock, which we consented to do so, rather than injure his ark. However, after viewing the risk that we might run of losing our loads, which was of considerable value, with his consent, we cut down the sides of the ark, so as to pass through. Now sir, as respects that place, if the shore course be closed up, as I understand they intend to do so, it will make Hunter's falls one of the most difficult places on the river to ascend, in the best stage of water for ascending. If you have it in your power to prevent the evil, you would, in my opinion, confer a great favor on the public.

I am, with respect, &c.

H. DONLY

*John M. Meens, Esq.*

No 6.

*Lewistown, October 5, 1826.*

DEAR SIR—Enclosed I send you a certificate, signed by all the watermen of this place, of the obstructions and difficulty created by stopping up the course inside of the rock at Hunter's falls. At the proper boating season, it will be impossible to ascend the river on the outside. We now, in coming up, when the water is in proper boating order, come close along the turnpike wall. If we are thrown out in the channel, it will be a matter impossible for us to ascend with a load. We can never attempt it. Our lives and property will both be in danger. The arks and rafts run close outside of the rock, and will unavoidably run against boats that may attempt ascending in that channel, which will dash them to atoms. These are the ideas that all have expressed, that I have offered the certificate to, to sign; and all say, they would rather give ten dollars to stand a suit with the canal commissioners, to contend for the right of ascending in the channel, inside of the rock, as to ever think of giving it up.

Sincerely your friend, &c.

WILLIAM MARK

*Samuel H. Wilson, Esq.*

No. 7.

*To all whom it may concern.*

The undersigned, being experienced watermen, and the owners of boats, residing on the waters of the Juniata, having understood that the canal commissioners, in the location of the canal, have included the shore channel, at the Big rock, in Hunter's falls; we therefore, do certify, from personal experience, that the said shore course was the only channel used by watermen in ascending the river, except in extreme low water; that when the river is at the best stage for boating, it will be almost impossible for a boat to

Mr. King read in his place, and on leave given, presented to the chair bill No. 74, entitled

"An act to repeal an act entitled an act relating to Connecticut settlers."

Said bill was read the first time.

Bill No. 24, entitled

"An act incorporating a company for the construction of the Delaware and Schuylkill Canal, at or near the city of Philadelphia,"

Was read the third time.

On the question,  
Shall this bill pass?

On motion of Mr. Sutherland and Mr. Logan, and by unanimous consent,

The title was amended so as to read, "An act to enable the governor of this commonwealth to incorporate a company for opening a canal and lock navigation, between the rivers Delaware and Schuylkill, through the southern section of Philadelphia county,"

The question recurring,  
Shall this bill pass?

It was determined in the affirmative.

Bill No. 44, entitled

"An act to make valid a certain deed, from the administrator of Henry Snyder, deceased, to Michael Simon,"

Was read the third time and passed.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

On motion of Mr. Herbert and Mr. Winter,

The amendments, by the House of Representatives, to bill No. 13, entitled

"An act to provide for the copying or transcribing of certain dockets or books of record, of the court of common pleas of Adams county,"

Were read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Hawkins and Mr. Ogle,

The amendments, by the House of Representatives, to bill No. 32, entitled

"An act relative to the election of constables in certain counties,"

Were read the second time.

The same being under consideration,  
A motion was made by Mr. Ogle and Mr. Dunlop,  
To amend the amendments, by inserting, at the end thereof,  
the words 'and Somerset.'

Which was agreed to.

The amendments as amended were then concurred in.

Ordered, That the Clerk inform the House of Representatives  
accordingly.

A motion was made by Mr. Hawkins and Mr. Ogle, and read as  
follows, viz.

Resolved, That the judiciary committee be instructed to 'in-  
quire into the expediency of passing a law continuing the lien of  
judgments on the real estate of the principal, when paid by the  
surety, and authorising the court to direct execution to issue, on  
such judgments against the principal in favor of the surety, in the  
name of the plaintiff in such judgment, at the risque and cost of  
the surety.

Laid on the table.

Bill No. 31, entitled

"A supplement to the act entitled an act to erect the town of  
Chester, and its vicinity, in the county of Delaware, into a bo-  
rough, and for other purposes therein mentioned,"

Was read the second time, and

Ordered to be transcribed for the third reading.

Bill No. 33, entitled

"An act abolishing the middle, southern and Lancaster dis-  
tricts of the supreme court, and establishing one at Harrisburg,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Ray and Mr. Ryon,

To amend the same, by striking out of the fourth and seventh  
lines, the word "middle," where it occurs.

Which was not agreed to.

A motion was made by Mr. Dunlop and Mr. Hambright,

To amend the section, by striking out of the ninth and tenth  
lines, these words, "required by law to be taken and given by,"  
and inserting in lieu thereof these words, "usually required from."

Which was agreed to.

A motion was then made by Mr. Ryon and Mr. Ray,

Further to amend the section, by inserting, after the word  
"middle," in the fourth and seventh lines, the words, "eastern and  
western."

Which was not agreed to.

A motion was made by Mr. Dunlop and Mr. Ray,  
Further to amend the same, by inserting, after the word 'middle,' in the fourth and seventh lines, the word 'eastern.'

Which was not agreed to.

A motion was then made by Mr. Dunlop and Mr. Logan,  
Further to amend the section, by striking out of the 15th line, the word 'Harrisburg,' and inserting in lieu thereof, the word 'Chambersburg.'

Which was not agreed to.

The first section, as amended, was then agreed to.

The second, third and fourth sections, were severally considered and agreed to.

The title being under consideration,

A motion was made by Mr. Garber and Mr. Ray,

To postpone the same, for the purpose of introducing the following, to be called section 5.

Section 5. And be it further enacted by the authority aforesaid, That it shall be the duty of the judges of the supreme court, at the term to be held for the central district, on the second Monday of January next, and as often afterwards as occasion may require, to prescribe, by rule of court, certain days, within the term of the said central district, for the return of writs from the various judiciary districts embraced within the said central district, and the causes shall be taken up for argument according to the order prescribed: Provided, That no causes shall be ordered for argument, during the regular terms of the court of common pleas and quarter sessions of the district from which such causes are, or may be removed.

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Garber and Mr. Ray,

To postpone the question, together with the bill, for the present.

Which was not agreed to.

The question recurring,

Will the Senate agree to the motion?

It was determined in the negative.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Garber and Mr. Ogle,

To postpone the question, together with the bill, until to-morrow

Which was not agreed to.

The question recurring,

Will the Senate agree to the title?

It was determined in the affirmative.

On the question,

Shall this bill be transcribed for the third reading?

The yeas and nays were required by Mr. Ryon and Mr. Moore, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Duncan, Garber, Hawkins, Herbert, Hunt, Kelley, Kerlin, King, Kitchin, Knight,	Messrs. Leech, Ogle, Petrikin, Power, Schall, Seltzer, Sturgeon, Sullivan, Sutherland, Winter, Mahon, Speaker, 22
NAYS.	NAYS.
Messrs. Dunlop, Emlen, Hambright, Hamilton, Logan,	Messrs. Mann, Moore, Ray, Ryon, 9

So it was determined in the affirmative.

On motion of Mr. Ogle and Mr. Mann,

The rule for going into a committee of the whole, being in this case dispensed with, bill No. 73, from the House of Representatives, entitled

“An act for the relief of William Lemmon and Andrew Shuster, revolutionary soldiers,”

Was read the second time.

The first section was considered and agreed to.

The second section being under consideration,

A motion was made by Mr. Mann and Mr. Power,  
To amend the same, by adding to the end thereof these words,  
“for his revolutionary services.”

Which was agreed to.

The section as amended was then agreed to.

The title was considered and agreed to; and

On motion of Mr. Ogle and Mr. Moore,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the senate have passed the same with an amendment, in which the concurrence of that house is requested.

Adjourned until 11 o'clock, to-morrow morning.

## THURSDAY, January 18, 1827.

Mr. Hambright presented the petition and documents of the sureties of William Hamilton, late treasurer of Lancaster county, praying that the interest may be remitted, on the payment of the principal due the commonwealth, by the late William Hamilton, deceased.

Which were referred to Messrs. Hambright, Hamilton and King.

Mr. Sutherland presented the petition of James Ronaldson, of Philadelphia county, stating that he has enclosed a certain lot of ground, in Moyamensing township, in said county, for the purpose of a grave yard, and praying for the passage of a law exempting said lot from taxation, on certain conditions set forth in the petition.

Which was referred to Messrs. Sutherland, Logan and Hay.

Mr. King presented the petition and documents of the managers of the Lehigh coal and navigation company, praying that the number of the managers of said company may be increased.

Which was referred to Messrs. King, Winter and Schall.

Mr. Power presented the petition and documents of Patrick Dickson, of Beaver county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported bill No. 75, entitled

"An act extending the charter of the Washington and Pittsburg turnpike road company."

Said bill was read the first time.

Mr. Emlen from the committee on banks, to whom were referred the petition and documents of Jonathan Mifflin, having given the same an attentive consideration, report:

That Jonathan Mifflin complains that the present directors of the Columbia Bridge Company, have been actuated by personal



and selfish views, in the administration of the affairs of the company, and have knowingly injured the institution in order to gratify their ill will towards him; that they have neglected the proper steps to recover the debts due to the institution, and particularly in a certain suit for the recovery of the amount of a bond, some of the directors have assisted the defendants, in order to throw the loss of the bond on the petitioner. In support of these charges, certain circumstances are mentioned and certain documents alluded to, the truth of which, and their application to the matter in hand, your committee have thought it unnecessary to examine, for reasons which will hereafter appear. The petitioner concludes by praying the legislature to appoint a committee to visit the office of the company, and investigate his causes of complaint, and at the same time to examine the manner in which the affairs of the institution have been conducted.

From the above summary of the petition, it will at once be seen that the complaints of the petitioner are wholly of a private nature. Your committee conceive that it would be both useless and unjust for the Senate to authorise its committees to enter into an examination of private differences, although one of the parties should be a chartered body;—unjust because our modes of proceeding are not adapted to the investigation of facts, with a view to adjudication—and useless, because a decision, however correctly pronounced, could not be carried into effect.

The petitioner, in praying for a committee, seems to have in view the twenty-first article of the third section of the act incorporating the bank; by which a power is reserved to the “two houses, of appointing, at any time, joint committees, to inquire and examine into the credit and situation of the company; to ascertain the debts and credits thereof; and whether it is in a flourishing or declining situation.” This clause is to be found in the charters of all the banks incorporated by this state, and seems intended to guard the public against the great powers and privileges granted to those institutions. Your committee cannot conceive a case in which it could be made to apply to the adjustment of differences between corporations and individual citizens. As the petitioner has not charged the company with any exercise of its banking powers injurious to the citizens at large, there does not seem to be any ground for the appointment of a committee in virtue of this clause.

If the petitioner has any just cause of complaint against the Columbia Bridge Company, he must seek his remedy at law; and your committee see no reason to doubt that our courts of justice are clothed with ample powers to redress all his grievances.

They therefore offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

Laid on the table.

Bill No. 31, entitled

"A supplement to the act entitled an act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough, and for other purposes,"

Was read the third time and passed.

Bill No. 33, entitled

"An act abolishing the middle, southern and Lancaster districts of the supreme court, and establishing one at Harrisburg,"

Was read the third time.

On the question,

Shall this bill pass?

A motion was made by Mr. King and Mr. Winter,

To strike out the second section of the bill, and that the remaining sections be numbered accordingly.

Which was unanimously agreed to.

The question recurring.

Shall this bill pass?

The yeas and nays were required by Mr. Moore and Mr. Ray, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Leech,	
Duncan,		Ogle,	
Garber,		Schall,	
Hawkins,		Seltzer,	
Herbert,		Sturgeon,	
Kelley,		Sullivan,	
King,		Sutherland,	
Kitchin,		Mahon, speaker,	17.
Knight,			
NAYS.		NAYS.	
Messrs. Dunlop,		Messrs. Mann,	
Emlen,		Moore,	
Hambright,		Ray,	
Hamilton,		Ryon,	
Logan,		Winter,	10

So it was determined in the affirmative.

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

On motion of Mr. Hawkins and Mr. Ogle,

The resolution relative to continuing the lien of judgments on the real estate of the principal, when paid by the surety,

Was read the second time, considered and adopted.

On motion of Mr. Dunlop and Mr. Knight,

An item of unfinished business, to be found on page 138 of the journal of last session, relative to compelling the supervisors of Metal township, in Franklin county, to levy and collect a certain sum of money, for the use of John Campbell,

Was referred to Messrs. Dunlop, Petrikin and Moore.

On motion of Mr. Mann and Mr. Allshouse,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the Auditor General be required to furnish the Senate with a complete list of the names of all the widow pensioners in his office, that are now drawing pensions under the provisions of the several acts of the general assembly of this commonwealth.

Bill No. 40, entitled

"An act authorising the laying out a state road from Dillsburg, in the county of York, to the town of Berlin, in Adams county,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No. 52, entitled

"An act authorising the laying out a state road from the widow Plesterer's tavern, in Warwick township, county of Lancaster, to Shaferstown, in the county of Lebanon."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hamilton in the chair, on bill No. 53, from the House of Representatives, entitled

"An act to improve a certain public road, crossing the Lehigh hills, opposite the village of Bethlehem, in Northampton county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives have concurred in the amendments by the Senate, to the following bill and resolution:

No. 78, "An act for the relief of William Lemmon and Andrew Shuster, revolutionary soldiers."

No. 59, Resolution relative to the claims of revolutionary soldiers."

And that the House of Representatives have concurred in the amendment by the Senate, to the amendment by the House of Representatives, to the bill from the Senate, No. 12, entitled

"An act relative to the election of constables in certain counties."

Laid on the table.

Adjourned until 11 o'clock, to-morrow morning.

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## FRIDAY, January 19, 1827.

Mr. Hunt presented two petitions, of similar tenor, from the stockholders of the Bank of Chester county, praying for certain alterations in their act of incorporation.

Which were laid on the table.

Mr. Ray presented the petition of sundry inhabitants of the village of Selins Grove, in Penns township, Union county, praying that said village may be erected into a borough.

Which was referred to Messrs. Ray, Ogle and Hunt.

The Speaker laid before the Senate a letter, accompanied with documents, from the Auditor General, which were read as follow,  
viz.

### AUDITOR GENERAL'S OFFICE.

January 19, 1827.

SIR—In obedience to a resolution of the Senate, of the 18th. inst. requesting the Auditor General to furnish the Senate with a complete list of the names of all the widow pensioners in his office, that are now drawing pensions under the provisions of the several acts of the general assembly of this commonwealth, the accompanying list is respectfully submitted.

With great respect, I am,

Sir, your obedient servant.

DAVID MANN.

*The Honorable Alexander Mahon,  
Speaker of the Senate.*

*A list of the names of the widows who are drawing pensions from the state of Pennsylvania.*

Anderson Phoebe,  
Bruton Bridget,  
Bell Mary,  
Boyles Elizabeth,  
Bower Rebecca,  
Brown Mary,  
Brodhead Elizabeth,  
Boyd Margaret,  
Bower Jane,  
Bills Elizabeth,  
Baylor Sarah,  
Brown Isabella,  
Brown Barbara,  
Crawford Agnes,  
Carminé Elizabeth,  
Capple Margaret,  
Campbell Isabella,  
Campbell Rosana,  
Casey Catharine,  
Claughton Margaret,  
Creswell Isabella,  
Cain Mary,  
Chadwick Sarah,  
Cox Mary,  
Dansey Nancy,  
Dean Mary,  
Dixon Mary,  
Dougherty Elizabeth,  
Dether Eve,  
Dawson Mary,  
Eagan Mary,  
Eurick Catharine,  
Elmore Hannah,  
Eddy Ann,  
Eberman Elizabeth,  
Fortenbaugh Jane,  
Fuller Susannah,  
Gordon Mary,  
Guier Mary,  
Godfrey Jane,  
Gey Barbara,  
Grove Sarah,  
Gann Ann,  
Holliday Dorcus,  
Hamilton Deborah,  
Johnston Barbara,  
Kelchier Mary,  
Keasey Catharine,

Lawrence Eve,  
Lyon Elizabeth,  
Lorentz Mary,  
Love Catharine,  
Miller Elizabeth,  
Manson Elizabeth,  
Markley Catharine,  
Mushetness Catharine,  
Miller Sarah,  
Magee Margaret,  
Mitchell Mary,  
M'Colly Molly,  
M'Cully Ann,  
M'Cauly Clarana,  
M'Clintick Sarah,  
M'Fadden Rebecca,  
M'Coy Deborah,  
M'Neal Elizabeth,  
M'Lain Mary,  
M'Guire Jane,  
M'Mullen Sarah,  
M'Williams Elizabeth,  
Nelson Mary,  
Norton Jane,  
Patterson Margaret,  
Pinkerton Catharine,  
Richmond Jane,  
Sloan Elizabeth,  
Story Hannah,  
Shubert Elizabeth,  
Shade Mary,  
Statzer Elizabeth,  
Sailheimer Elizabeth,  
Shryock Phoebe,  
Stuckey Ann Maria,  
Salliday Mary,  
Smith Rebecca,  
Shelman Margaret,  
Shea Mary,  
Spangenberg Elizabeth,  
Thomson Ruth,  
Tannahill Agnes M.  
Tryer Elizabeth,  
Taylor Mary,  
Van Gordon Mary,  
Withrington Eve,  
Warnick Mary,  
Walker Mary.

Wharton Sarah,  
Weidley Rosanna,  
Witman Catharine,

Wilson Sarah,  
Williams Mary,  
Young Mary.

Laid on the table.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the governor, for his approbation, the bills numbered and entitled as follow, viz.

No. 36, "A supplement to the act entitled "An act to incorporate a company, for making a turnpike road from Butler to the Allegheny river, opposite Kittaning.

No. 56, "An act to incorporate the borough of Muncey, in Lycoming county."

No. 63, "An act for the relief of Mary Nagle, and Catharine Miller, widows of revolutionary soldiers."

No. 59, "An act for the relief of William Lemmon and Andrew Shuster, revolutionary soldiers."

No. 73, "Resolution relative to the claims of revolutionary soldiers."

Laid on the table.

Mr. Mann, from the committee on claims, reported bill No. 76, entitled

"An act for the relief of James Murphy, a soldier of the revolution."

Mr. King, from the committee on the subject, on leave given, reported bill No. 77, entitled

"A supplement to the act entitled an act to incorporate the Lehigh coal and navigation company, passed the 13th February, 1822."

Mr. Sutherland, from the committee on the subject, on leave given, reported bill No. 78, entitled

"An act to exempt a certain grave yard, in the township of Moyamensing, in the county of Philadelphia, from taxation."

Said bills were read the first time.

Mr. Knight, from the committee on roads, bridges and inland navigation to whom was referred the petition of the managers of the Washington and Pittsburg turnpike road, reported:

That the petitioners state that the whole road has been completed, with the exception of about four and three-fourth miles; that during the last season, about four and a fourth miles of road were made, to effect which the board found it proper to borrow, on their own responsibility, one thousand dollars, and to pay it to contract-

ors in anticipation of the moneys then in the state treasury, subject to draft on the completion of that portion of road. The petitioners further represent, that an opportunity now offers, to contract for the completion of the balance of the road the ensuing summer, provided they were enabled to advance money to the contractors; but being destitute of funds, they ask the legislature to permit them to draw the balance of the states' subscription in advance.

The committee deem this inexpedient, and offer the following resolution:

**Resolved,** That the committee be discharged from the consideration of the subject.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee, from the House of Representatives, they have compared, and on this day presented to the governor, for his approbation, the bills numbered and entitled as follow, to wit:

No. 12, "An act relative to the election of constables in certain counties."

No. 13, "An act to provide for the copying or transcribing of certain dockets or books of record, of the court of common pleas of Adams and Chester counties."

Said reports were read, and laid on the table.

Bill No. 40, entitled

"An act authorising the laying out a state road, from Dillsburg, in the county of York, to the town of Berlin, in Adams county,"

Was read the third time and passed.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Bill No. 52, entitled

"An act authorising the laying out a state road, from the widow Plesterer's tavern, in Warwick township, county of Lancaster, to Shaferstown, in the county of Lebanon,"

Was read the second time, and

Ordered to be transcribed for the third reading.

Bill No. 53, from the House of Representatives, entitled

"An act to improve a certain public road, crossing the Lehigh hills, opposite the village of Bethlehem, in Northampton county,"

Was read the second time.

The sections and title were severally considered and agreed to.

On the question,

Shall this bill be prepared for the third reading?

The yeas and nays were required by Mr. Garber and Mr. Hamilton, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Duncan, Emlen, Hambright, Hamilton, Hawkins, Herbert, Kelley, King, Kitchin, Knight,	Messrs. Leech, Logan, Ogle, Petrikin, Power, Ray, Ryon, Schall, Sullivan, Sutherland, Winter, Mabon, speaker. 24.
NAYS.	NAYS.
Messrs. Garber, Hay, Hunt, Kerlin,	Messrs. Mann, Moore, Sturgeon, 7.

So it was determined in the affirmative.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on resolution, No. 54, entitled

“Resolution recommending General Andrew Jackson, as a candidate for president, to be supported by the state of Pennsylvania, at the next presidential election.”

After some time,

The committee rose, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Herbert and Mr. Sutherland,

That the committee of the whole be discharged from the further consideration of the resolution, and that it be committed to a special committee.

On the question,

Will the Senate agree to the motion?

A division of the question was called for by Mr. Ogle, to end with discharging the committee of the whole.



On the question,

Shall the committee of the whole be discharged from the further consideration of the resolution?

A motion was made by Mr. Emlen and Mr. Ogle,

That the Senate adjourn.

Which was agreed to.

And the senate adjourned until 11 o'clock, to-morrow morning.

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## SATURDAY, January 20, 1827.

Mr. Duncan presented a memorial of John L. Sullivan, stating that he is the inventor of a railway dock for hauling up ships, steam boats, canal boats and vessels of all descriptions, and praying that a law be passed to incorporate a company for the sole purpose of building and employing marine railways in the repairing of shipping in the port of Philadelphia.

Which was laid on the table.

Mr. Ray presented the petition of sundry citizens of Greenwood township, Mifflin county, praying that the east end of said township may be annexed to Union county.

Which was referred to Messrs. Ray, Moore and Emlen.

Mr. Duncan presented the petition of Nancy Wharton and John Wharton, of the city of Philadelphia, praying for authority to sell and convey certain real estate.

Which was referred to Messrs. Duncan, Winter and Allshouse.

The speaker laid before the Senate, a letter signed by Joseph Hemphill, chairman, and James N. Barker and George M. Dallas, secretaries, of a town meeting of the city of Philadelphia, held on the eighteenth instant, relative to the removal of the seat of government, enclosing a copy of the proceedings of said meeting.

The speaker laid before the Senate, a copy of the proceedings of a town meeting, of the city of Lancaster, relative to the removal of the seat of government.

Said letter and proceedings, were read and laid on the table.

Mr. Ryor, from the committee on the subject, on leave given, reported bill No. 79, entitled

"An act for the relief of Connecticut settlers."

Mr. Ray, from the committee on the subject, on leave given, reported bill No. 80, entitled

"An act to incorporate the borough of Selinsgrove, in Union county."

Said bills were read the first time.

The Secretary of the Commonwealth being introduced, presented three messages from the governor, two of which were accompanied with documents

Said messages and documents were read as follow, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the general assembly, and directed the Secretary of the Commonwealth to return them to the Houses in which they respectively originated, viz.

No. 51. "An act to incorporate the borough of Muncey, in Lycoming county."

No. 73, "An act for the relief of William Lemmon and Andrew Shuster, revolutionary soldiers."

No. 63, "An act for the relief of Mary Nagle, and Catharine Miller, widows of revolutionary soldiers."

No. 56, "A supplement to the act entitled "An act to incorporate a company, for making a turnpike road from Butler to the Allegheny river, opposite Kittanning.

No. 12, "An act relative to the election of constables in certain counties."

No. 13, "An act to provide for the copying or transcribing of certain dockets or books of record of the courts of common pleas of Adams and Chester counties."

No. 59, "Resolution relative to the claims of revolutionary soldiers "

J. ANDW. SHULZE.

Harrisburg, January 19, 1827.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to you a copy of a letter from the governor of the state of Georgia, together with a copy of a preamble and resolution of the legislature of that state, recom-

mending such an alteration in the constitution of the United States, as will prevent the election of president from devolving, in any event, on the house of representatives.

J. ANDW. SHULZE.

*Harrisburg, January 19, 1827.*

### EXECUTIVE DEPARTMENT, GEORGIA.

*Milledgeville, 27th December, 1826.*

Sir,

The accompanying preamble and resolution of the legislature of this state, are communicated with a request, that your excellency will be pleased to submit them to the legislature of the state over which you have the honor to preside, for their consideration.

With great consideration and respect.

G. M. TROUP.

*His Excellency, the  
Governor of Pennsylvania.*

### IN THE HOUSE OF REPRESENTATIVES.

*Wednesday, 20th December, 1826.*

WHEREAS, in every government truly republican, it is highly important that the affections of the people should be secured to the constitution and the laws, by giving to them the right of bestowing all offices, and especially those which place great power and patronage in the hands of those who fill them, on men in whose virtue and intelligence they can place the most unbounded confidence: And whereas, from the past history of our government, it is to be feared, that under the provisions at present embraced in the federal constitution, the office of president of the United States, one giving to the incumbent a power which may be effectually used for the best, or for the worst of purposes, may sometimes be bestowed upon a man whom the suffrages of the people would not elevate to that high office, and whose only hope of a continuance therein, will be derived from an artful use of the patronage of the government, a dangerous instrument in the hands of an ambitious man:

And whereas, those evils which we have already partly felt, and which we have reason to fear will be much more seriously felt in future, can only be remedied by an alteration of the federal constitution; and though all the efforts that have been heretofore made to effect that alteration have failed, yet it is believed that the good sense and patriotism of the great mass of the nation will insure success to an amendment to that instrument which will give to it so much firmer an interest in the hearts of the people.

Be it therefore resolved by the Senate and House of Representatives, That our senators in congress be instructed, and our repre-

sentatives requested, to promote such an alteration of the constitution of the United States, as will prevent the election of president from devolving, in any event, on the house of representatives, and which, at the same time, will preserve inviolate all the rights of the states growing out of the compromises of the constitution.

And be it further resolved, That the governor be requested to forward copies of the foregoing preamble and resolution, to each of our senators and representatives in congress, and to the governors of the several states.

IRBY HUDSON, Speaker.

Attest—WILLIAM C. DAWSON, Clerk.

In Senate, unanimously concurred in, 22d December, 1826.

THOMAS STOCKS, President.

Attest—WILLIAM Y. HANSELL, Secretary.

Approved, 22d December, 1826.

G. M. TROUP, Governor.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor to transmit to the Senate, the copy of a letter from C. F. Mercer, Esquire, on behalf of the Chesapeake and Ohio Canal Convention, accompanied by a copy of a memorial to the legislature of Pennsylvania, prepared by a committee under the authority of that convention.

I also inform the Senate, that I have had delivered, to the House of Representatives, sundry printed documents, which were transmitted with said letter and memorial, for the use of the legislature.

J. ANDW. SHULZE.

*Harrisburg, January 20, 1827.*

*City of Washington, January 15, 1827.*

SIR—I beg leave, in behalf of the Chesapeake and Ohio canal convention, to present, through you, to the General Assembly of Pennsylvania, a memorial prepared by a committee acting under the resolutions of that convention, together with the accompanying documents, designed to illustrate and sustain the wishes of the memorialists.

With the highest respect,

I have the honor to be,

Sir, your most ob't serv't,

C. F. MERCER, Ch'n

*of a com. of the C. & O. C. C.*

*To his excellency, J. Andrew Shulze,*

*Governor of Pennsylvania.*

*To the Senate and House of Representatives of Pennsylvania in  
General Assembly convened.*

The memorial of the undersigned committee, acting under the authority, in the name, and on behalf of the Chesapeake and Ohio canal convention, which met in the capitol of the United States, in the city of Washington, on the 6th of November, 1823, and re-assembled in the same city on the 6th of December, 1826, respectfully represents: That, by certain resolutions contained in the proceedings of that convention, a copy whereof is hereto annexed, your memorialists have been deputed to address your honorable body, for purposes set forth in the proceedings before mentioned, and the accompanying report of the United States' board of internal improvement, communicated to the congress by the president of the United States on the 7th day of December last.

Referring to the above report and proceedings, your memorialists most respectfully suggest, that it has become expedient in the opinion of the convention, to obtain such an amendment of the charter of the Chesapeake and Ohio canal company, as shall enable the company to avail themselves of the new facilities disclosed by the recent examination and survey of the United States engineers, for connecting the Potomac and Ohio rivers, by a navigable canal, between Cumberland and Pittsburg. The act of the last general assembly of Pennsylvania concurring upon certain conditions in the charter granted by the states of Maryland and Virginia, and the congress of the United States, with the assent of the existing Potomac company, comprehends among those conditions one of the amendments now sought to be obtained by the convention.

In defining Pittsburg as the western termination of the proposed canal, it also accords with the recommendation of the United States' board of internal improvement, and with the wishes of the convention, so far as they have been expressed.

The power, however, to extend a branch canal up the river Potomac, to the coal banks at the base of the Allegheny, in the event, that the main line of communication across that mountain shall leave the Potomac, as is now probable, at the mouth of Wills creek, is not provided for, among the conditions to which your memorialists refer; and yet, upon the future exercise of such a power, the profits of the entire canal may materially depend. It is also desirable to give to this power such latitude as may authorise, if it shall be deemed expedient, a reduction of this branch to less dimensions, than those prescribed as the minimum breadth of the main canal, and to provide, if it shall be hereafter deemed expedient, on the mountain section of the canal, for a substitution, in lieu of a tunnel and numerous locks, of inclined planes, and railways, or any other artificial road or communication.

With this amendment, your memorialists are required further to solicit such a subscription of stock, from the commonwealth of Pennsylvania, to the Chesapeake and Ohio Canal, as shall, in your wisdom and justice, comport with the relative interest of the citi-

zens of Pennsylvania, to that of her sister states and of the Union, in the execution of this great enterprize.

Should the route of this canal be ultimately made to accord with the recommendation of the United States' engineers; or leaving the Potomac, at Cumberland, proceed from thence to the mouth of Casselmans' river, the interest of Pennsylvania, great before, will be much augmented in the accomplishment of this beneficent work. The entire summit level, the most expensive portion, and almost the whole western section of the canal, will lie within the territorial limits of your commonwealth. More than one-third, and probably a full moiety of the entire cost of the canal, will be there expended, and Pittsburg, assured of becoming the commercial emporium of the west, in time of peace, and of the United States, in time of war.

It is under impressions derived from these reflections, and from a knowledge of the liberal policy hitherto pursued by the commonwealth of Pennsylvania, in relation to all objects of internal improvement, as well as from a reference to the numbers, resources and wealth of her people, that the convention have anticipated, from your honorable body, a participation in the views which have prompted this appeal to the munificence, wisdom and equity of a great and flourishing state.

In the same spirit, the committee are charged by the convention, whose sentiments they express, to invite the particular attention of your honorable body to the terms, annexed by your predecessors, as the condition of their concurrence in the acts of the general assemblies of Virginia and Maryland, in incorporating the Chesapeake and Ohio Canal Company.

The convention feel the deepest interest in the speedy accomplishment of the whole line of inland navigation, between the tide of the Potomac and the extensive vallies of the Ohio and the Mississippi.

If this work were finally to terminate at Cumberland, or but a little higher up the Potomac, at the eastern base of the Allegheny, the great purpose, which has twice assembled the convention, would be lost. But while this obvious truth inspires your memorialists, and their constituents, with the most anxious desire to complete their great undertaking, in the shortest possible time, peculiar and urgent considerations, in the nature of the enterprize, and the condition of the country, indicate the policy of adhering to that order of completing its two great divisions, which the present charter prescribes. The extent of the rivers and navigable streams, which empty into the Potomac, the Monocacy, Antietam and Conogocheague, streams interesting to Pennsylvania, as well as to Maryland, the South Branch and Shanandoah rivers, with Pattersons, Cacapon and Opecon creeks of Virginia, affording at present, a navigation of three hundred and seventy miles; but above all, the inexhaustible masses of mineral coal, on the borders of this great river, will render certain an immediate and liberal profit on the completion of the eastern section of the canal. But, until its completion, this profit will be greatly reduced by the ne

cessary absence of the contributions of the coal trade, which cannot flourish, before the canal reaches the rich banks of this mineral, to which it is designed to conduct it.

To retard this result, by dividing, between the two extremes of this extensive work, any part of the sums, which may be subscribed to its common stock in the manner required, as a condition of the assent of Pennsylvania to the charter, would occasion a loss of profit, on both of its sections, unless a sum sufficient for the completion of both, be at once supplied; in which event, the condition would be wholly inoperative.

Its only practical effect, therefore, if it have any, must prove injurious. For if it threaten a great delay of profit to the subscribers of the stock of the entire canal, it will discourage the original subscriptions; and if it afterwards retard the expected profit, such delay would prove alike injurious to those future subscriptions, which will become indispensibly necessary, in the event that the sums first subscribed shall prove inadequate to the completion of the whole canal.

On several American canals, (as on that first contemplated between the Chesapeake and Delaware bays,) the delay of revenue, from the first expenditures, proved fatal to their successful prosecution; and where, as on the James river and Potomac canals, still prosecuted, the capital of their first subscriptions have been sunk, before others could be obtained, owing to the same misfortune.

To avoid any hazard of a result so deplorable, was the chief object which prompted the convention to provide that the eastern section of the canal should be first completed.

Until this be done, it cannot be an object of very high importance, to extend a navigable canal up the Monongahela and Youghiogany rivers; and consequently, it is alike expedient, as regards the interest of Pennsylvania, and of every other party to this extensive work, first to finish that section of the entire work, which it is most expedient first to commence.

For another defect which is supposed to exist, in the act to which your memorialists have referred, they beg leave to call your attention to the first report, embraced in the accompanying copy of the proceedings of that convention, whose wishes your memorialists have been deputed to represent to your honorable body. It is to the *form* of that reservation, which your predecessors have made, of the right of Pennsylvania to participate in the common use of those streams of water, within her territory, required for the supply of the Chesapeake and Ohio Canal.

To the other sections also, of the same act, your memorialists most respectfully invite the attention of your honorable body, under an impression, that it may seem to your wisdom expedient, so to modify some, or all of them, as to attain all the purposes of their enactment, and at the same time, to facilitate the perfection of



the charter of the Chesapeake and Ohio Canal Company, which must be incomplete, for its great end, so long as the state of Pennsylvania shall withhold her assent to its provisions, or annex to that assent impracticable conditions.

Signed on behalf of the committee.

C. F. MERCER, *Chairman.*

*Washington, January 15, 1827.*

Laid on the table.

Bill No. 52, entitled

"An act authorising the laying out a state road, from the widow Plesterer's tavern, in Warwick township, county of Lancaster, to Shaferstown, in the county of Lebanon,"

Was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Bill No. 53, from the House of Representatives, entitled

"An act to improve a certain public road, crossing the Lehigh hills, opposite the village of Bethlehem, in Northampton county,"

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled

No. 81, "An act to repeal in part an act entitled an act to improve the leading roads in M'Kean and Jefferson counties."

Said bill was read the first time.

Resolution No. 54, entitled

"Resolution recommending General Andrew Jackson as a candidate for president, to be supported by the state of Pennsylvania, at the next presidential election," being before the Senate,

The question recurring,

Shall the committee of the whole be discharged from the further consideration of the resolution?

The yeas and nays were required by Mr. Hawkins and Mr. Petrikin, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Hawkins,  
Herbert,  
Hunt,  
Knight,  
Leech,  
Logan,

YEAS.

Messrs. Mann,  
Petrikin,  
Schall,  
Sturgeon,  
Sullivan,  
Winter,  
Mahon, Speaker,



## NAYS.

Messrs. Allshouse,  
Duncan,  
Dunlop,  
Emlen,  
Garber,  
Hambright,  
Hamilton,  
Hay,  
Kelley,

## NAYS.

Messrs. Kerlin,  
King,  
Kitchin,  
Moore,  
Ogle,  
Power,  
Ray,  
Ryon,  
Sutherland,

18.

So it was determined in the negative.

The question recurring,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative.

Whereupon,

On motion,

The Senate again resolved itself into a committee of the whole,  
Mr. Hay in the chair.

After some time,

The committee rose, and the chairman reported progress, and  
asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Kitchin and Mr. Ogle,  
That the Senate adjourn.

Which was agreed to.

Adjourned until 11 o'clock, on Monday morning next.

## MONDAY, January 22, 1827.

Mr. Audenried presented the petition of sundry citizens of Schuylkill county, praying for the passage of a law for the better regulation of Hawkers and pedlers.

Mr. Emlen presented the memorial of sundry citizens, owners of unseated lands, in the counties of M'Kean and Jefferson, remonstrating against the repeal of the act entitled "An act to improve the leading roads in M'Kean and Jefferson counties."

Mr. Audenried presented two petitions, of similar tenor, from sundry citizens of Schuylkill county, praying for a review of the state road from M'Keansburg, in Schuylkill county, to Klinesville, in Berks county.

Mr. Kelley presented the petition of sundry citizens of Cambria county, praying for the passage of a law, authorising the copying or transcribing of sundry records of the court of common pleas of said county.

Said petitions and memorial were laid on the table.

Mr. Sutherland presented the petition and documents of Dorothy Shaffer, of Philadelphia county, widow of a revolutionary soldier, praying for relief.

Which were referred to the committee on claims.

Mr. Kelley presented a petition, praying for the incorporation of a company, for the purpose of making a canal or slack water navigation, from the state line, on the Conewango creek, to intersect the Pennsylvania canal, at its most northern point on the river Allegheny.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of Catharine Cleaver, reported:

That the petitioner states herself to be the widow of John Cleaver, who was captain of a rifle company, in the revolutionary war; that he has been dead for many years, and left no estate to support her in her declining years; that she is 74 years of age, and can no longer support herself by labor. She therefore prays the legislature to grant her some relief. Your committee, however, have given the petition and documents an attentive perusal, and find the facts, as stated, to be pretty well substantiated; nevertheless, they believe the prayer of the petitioner ought not to be granted inasmuch as the service which her late husband performed, would not entitle him to a pension were he now living; hence his widow can have no just claim on this commonwealth. They therefore offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject, and that the petitioner have leave to withdraw her petition.

Laid on the table.

Mr. Dunlop, from the committee on the subject, on leave given, reported bill No. 82, entitled

"An act for the relief of Metal township, Franklin county."

Mr. Duncan, from the committee on the subject, on leave given, reported bill No. 83, entitled

"An act authorising the trustees of Nancy Wharton to sell and convey certain property."

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled

No. 84, "An act concerning the backing or endorsing warrants, by justices of the peace."

Said bill was read the first time.

Resolution No. 54, entitled

"Resolution recommending General Andrew Jackson, as a candidate for president, to be supported by the state of Pennsylvania, at the next presidential election,"

Being again under consideration,

The question recurring.

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Herbert and Mr. Winter,

That the committee of the whole be discharged from the further consideration of the resolution, and that it be committed to a special committee.

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Knight and Mr. Leech,

To postpone the question, together with the resolution, for the present.

Which was not agreed to.

The question recurring.

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Karlin and Mr. Emlen, and are as follow, viz.

YEAS.

Messrs. Allshouse,  
Audenried,  
Duncan,  
Garber,  
Hambright,  
Hawkins,  
Hay,  
Herbert,  
Hunt,  
King,  
Knight,  
Leech,

YEAS.

Messrs. Mann,  
Moore,  
Ray,  
Ryon,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, speaker,

**YAYS.**

Messrs. Dunlop,  
Emlen,  
Kelley,  
Kerlin,

**NAYS.**

Messrs. Kitchin,  
Ogle,  
Petrikin,

F.

So it was determined in the affirmative.

Ordered, That Messrs. Herbert, Ryon, Mann, Sutherland, Duncan, Hunt and Sturgeons, be the committee.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hunt in the chair, on bill, No. 57, entitled

"An act incorporating the theological seminary, of the general synod of the evangelical Lutheran church, in the United States."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kelley in the chair, on bill No. 65, entitled

"An act for the relief and comfort of the poor."

After some time,

The committee rose, and the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Mann and Mr. Ray,

That the committee of the whole be discharged from the further consideration of the bill?

Which was not agreed to, and

The committee of the whole obtained leave to sit again on to-morrow.

On motion of Mr. Emlen and Mr. Kerlin,

Bill No. 70, entitled

"An act to prevent the failure of trusts, and for other purposes,"

Was committed to the committee on the judiciary system.

Adjourned until 11 o'clock, to-morrow morning.

**TUESDAY, January 23, 1827.**

Mr. Duncan presented the memorial of sundry citizens of the city and county of Philadelphia, praying for the repeal of the laws relating to weights and measures.

Which was laid on the table.

Mr. Mann presented the petition and documents of Robert Wright, of Cumberland county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Mr. Knight, from the committee on roads, bridges and inland navigation, to whom was referred the petition of sundry inhabitants of Tioga county and its vicinity, having considered the same, reported:

That the petitioners set forth, that an act was passed at the last session, incorporating a company to improve the navigation of the Tioga river, by canal or otherwise, from the extensive beds of iron and coal, at Peter's Camp, on the head waters of that river, to the state line, at Lawrenceville; but inasmuch as they apprehend individual capital, in that country, is at present inadequate, they ask the legislature to incorporate a company, with chartered privileges, for mining, manufacturing and banking, with a capital of \$200,000. The committee deem it inexpedient to grant the request of the petitioners, and therefore offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

Mr. Knight, from the committee on roads, bridges and inland navigation, to whom was referred the petition of the president and managers of the Abington and Waterford turnpike road company, reported:

That the petitioners state that uncommon exertions have been made to procure the making of this road; that one section, of about ten miles, is nearly completed, but owing to the necessity of erecting many expensive bridges, and to the scarcity of money in that thinly inhabited country, the petitioners ask the legislature to aid them with a subscription of fifteen thousand dollars.

Your committee believe the road to be of considerable importance, and calculated to connect the Great Bend and Philadelphia turnpike with the improvements to the north, in the state of New York; but considering the objects for which appropriations must be made, and those which will claim the most serious consideration of the legislature, whether we regard their magnitude,

the benefits to result from them; or the honor of the state, your committee have come to the conclusion that the petition should not now be granted. They offer the following resolution:

Resolved, That the committee be discharged from the consideration of the subject.

Said reports, and the resolutions attached thereto, were read and laid on the table.

Mr. Duncan, from the committee on the subject, on leave given, reported bill No. 85, entitled

"An act relating to weights and measures."

Mr. Kerlin, from the committee on the subject, on leave given, reported bill No. 86, entitled

"A supplement to the several acts relative to fisheries in the river Delaware."

Mr. Ray, from the committee on the subject, on leave given, reported bill No. 87, entitled

"An act to extend the boundaries of Union county."

Said bills were read the first time.

A motion was made by Mr. Knight and Mr. Kitchin, and read as follows:

Whereas the advancement of the best interests of the country has been promoted by properly encouraging the domestic manufactures thereof, as has been demonstrated in relation to the cotton fabrics which, by a judicious tariff, have been so fostered, that they can now be made, by our own citizens, cheaper than they can be furnished from foreign countries. And whereas, it is feared that our woolen manufactures yet want that legislative aid which will enable them to compete successfully with the foreign fabrics, even in our own market, notwithstanding our country is well adapted to the growing of wool. And whereas the great interests of agriculture would be essentially advanced by the success of our home manufactures:

Resolved, That the committee on agriculture and domestic manufactures, be directed to inquire into the expediency of instructing our senators and members of congress, to use their exertions to procure a revision of the tariff, so far as to give additional encouragement to the manufacture of woolen goods in the United States.

On motion of Mr. Knight and Mr. Kitchin;

The preamble and resolution were read the second time.

On the question,

Will the Senate adopt the same?

A motion was made by Mr. Ogle and Mr. Kerlin,  
To postpone the question for the present.

Which was not agreed to.

Jan. 23.

THE SENATE.

245

The question recurring,  
Will the Senate adopt the same?

The yeas and nays were required by Mr. Knight and Mr. Hunt, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Duncan,  
Dunlop,  
Garber,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,  
Hunt,  
Kitchin,

YEAS.

Messrs. Knight,  
Leech,  
Logan,  
Moore,  
Petrikin,  
Ray,  
Sturgeon,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, speaker. 22.

NAYS.

Messrs. Allshouse,  
Emlen,  
Kelley,  
Kerlin,  
King,

NAYS.

Messrs. Mann,  
Ogle,  
Schall,  
Seltzer, 9.

So it was determined in the affirmative.

The clerk of the House of Representatives being introduced,  
presented for concurrence,

No. 88, "Resolution relative to the report of the commissioners  
appointed to revise the penal code."

And bill No. 89, entitled

"A further supplement to the act for laying out, making and  
keeping in repair the public roads and highways within this com-  
monwealth, and for laying out private roads."

Said resolution and bill were read the first time.

Bill No. 57, entitled

"An act incorporating the theological seminary of the general  
synod of the evangelical Lutheran church, in the United States,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Sullivan and Mr. Dunlop,

To amend the same, by striking from the 17th line the word  
"six," and inserting in lieu the word "three."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Ogle and Mr. Duncan, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Dunlop, Garber, Hawkins, Hunt, Kelley,	Messrs. Kerlin, Knight, Moore, Ogle, Seltzer, Sullivan, 13.
NAYS.	NAYS.
Messrs. Duncan, Emlen, Hambright, Hamilton, Hay, Herbert, King, Leech, Logan,	Messrs. Mann, Petrikin, Ray, Schall, Sturgeon, Sutherland, Winter, Mahon, speaker, 17.

So it was determined in the negative.

A motion was then made by Mr. Dunlop and Mr. Sullivan,  
To amend the section, by striking from the sixteenth line, the words "or income."

Which was not agreed to.

The first section was then agreed to.

The remaining sections were severally considered and agreed to.

The title being under consideration,

A motion was made by Mr. Knight and Mr. Kitchin,

To postpone the title, for the purpose of introducing the following, to be called section 4, viz.

Section 4. And be it further enacted by the authority aforesaid,  
That it shall not be lawful for the said corporation to appropriate any of its surplus funds, if any it may have or acquire, over and above defraying the usual and necessary expenses thereof, to any object other than those of a charitable or religious purpose, and which shall be necessary or proper for the well being of the said seminary.

Which was agreed to.

The manuscript section was then considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Dunlop and Mr. Knight,

To postpone the question, for the purpose of introducing the following, to be called section 5.



Section 5. And be it further enacted by the authority aforesaid, That the legislature reserve the right of modifying or resuming the powers and privileges hereby granted.

Which was agreed to.

The manuscript section was then considered and agreed to.

The question recurring,

Will the Senate agree to the title?

It was determined in the affirmative.

Ordered, That said bill be transcribed for the third reading.

Adjourned until 11 o'clock, to-morrow morning.

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## WEDNESDAY, January 24, 1827.

Mr. Mann obtained leave of absence for Mr. Ryon, for a few days.

Mr. Mann presented a memorial remonstrating against the construction of the Pennsylvania canal and praying for the repeal of the law relating to collateral inheritances.

Mr. King presented three petitions of similar tenor, signed by sundry citizens of Northampton and Lehigh counties, praying for the appropriation of a sum of money for the purpose of improving the navigation of Big creek, in Northampton county.

Mr. Kerlin presented the petition of sundry citizens of Delaware, praying that the term for which judgments remain a lien on real estate, may be extended to ten years, and that some more simple method be devised for the renewal of judgments.

Said memorial and petitions were laid on the table.

Mr. Leech presented the petition of sundry citizens of Mercer county, praying for the incorporation of a company for making an artificial road from the town of Mercer, by Greenville, to the Ohio state line, in a direction to the town of Kinsman, in the state of Ohio.

Mr. Sutherland presented the petition of John Towers, of the county of Montgomery, praying to be authorised by law, to erect a floating or permanent bridge over the Schuylkill canal and river, at the town of Manyunk.

Said petitions were referred to the committee on roads, bridges and inland navigation.

Mr. Hunt presented the petition and document of Samuel Richards, of Chester county, praying for relief.

Which were referred to Messrs. Hunt, Seltzer and Hamilton.

The Speaker laid before the Senate a copy of the proceedings of a meeting of the citizens of the city of Lancaster, relative to the removal of the seat of government from Harrisburg to that city.

Which was read and laid on the table.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of Robert Wright, a soldier of the revolution, reported:

That the petitioner states his first service as a soldier, was a two months' tour in a company commanded by capt. Brewster, and marched to Amboy; that he afterwards was called out in another company, commanded by captain Boyd, and served about a two months' tour, during which term, he marched to Trenton, Morristown and Princeton, and that the fall of one thousand seven hundred and seventy-seven, he served another two months' tour, to Egg Harbor, under the command of captain Thomas Tucker, making in the whole, about six months; that he is now old and poor and unable longer to support himself by labor, and therefore prays relief. Your committee, however, after a careful examination of the petition and documents, are of the opinion that the prayer of the petitioner ought not to be granted, inasmuch as his service consisted of three tours, of two months each, in the militia, which has hitherto been considered insufficient for this legislature to grant a pension, and therefore, offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Dunlop,

The resolution attached to the above report was read the second time.

On the question,

Will the Senate adopt the resolution attached to the report?

A motion was made by Mr. Dunlop and Mr. Kitchin,

To postpone the question, together with the resolution, for the purpose of introducing the following as a substitute, viz:

"Resolved, That the committee on claims be instructed to bring in a bill, conformably to the prayer of the petitioner."

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Ogle and Mr. Sutherland,

To amend the substitute, by striking therefrom these words, "conformably to the prayer of," and inserting in lieu thereof the following, "granting a gratuity to,"

Which was not agreed to.

The question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Hunt, and are as follow, viz.

## YEAS.

Messrs. Dunlop,  
Hambricht,  
Hamilton,  
Hay,  
Kitchin,  
Knight,  
Logan,

## YEAS.

Messrs. Ogle,  
Petrikin,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, speaker, 13.

## NAYS.

Messrs. Allshouse,  
Audenried,  
Emlen,  
Garber,  
Hawkins,  
Hunt,  
Kelley,  
Kerlin,

## NAYS.

Messrs. King,  
Leech,  
Mann,  
Moore,  
Ray,  
Schall,  
Seltzer,  
Sturgeon, 16.

So it was determined in the negative.

The question recurring,

Will the Senate adopt the resolution attached to the report?

It was determined in the affirmative.

Mr. Hawkins, from the committee on the judiciary system, reported bill No. 90, entitled

"An act for the protection of sureties in certain cases,"

Mr. Hamilton read in place, and on leave given, presented to the chair bill No. 91, entitled

"An act to repeal certain resolutions relative to the improvement of the public ground adjoining the borough of Harrisburg."

Said bills were read the first time.

**Bill No. 57, entitled**

**"An act incorporating the theological seminary of the general synod of the evangelical Lutheran church in the United States."**

**Was read the third time.**

**On the question,  
Shall this bill pass?**

**The yeas and nays were required by Mr. Allshouse and Mr. Seltzer, and are as follow, viz.**

YEAS.	YEAS.
Messrs. Duncan, Garber, Hambright, Hamilton, Hay, Herbert, King, Lesch,	Messrs. Logan, Mann, Petrikin, Ray, Sturgeon, Sullivan, Sutherland, Mahon, Speaker, 16.
NAYS.	NAYS.
Messrs. Allshouse, Andenried, Emlen, Hawkins, Hunt, Kerlin, Kitchin,	Messrs. Knight, Moore, Ogle, Schall, Seltzer, Winter, 13.

**So it was determined in the affirmative.**

**Ordered, That the Clerk present said bill to the House of Representatives for concurrence.**

**On motion of Mr. Mann and Mr. Kerlin,**

**The resolution attached to the report of the committee on claims, on the petition of Godfrey Slaughter, a soldier of the revolution, praying for relief,**

**Was read the second time.**

**On the question,  
Will the Senate adopt the resolution?**

**A motion was made by Mr. Sutherland and Mr. Sullivan,**

**To postpone the question, together with the resolution, for the purpose of introducing the following as a substitute, viz.**

**"Resolved, That the committee on claims be directed to bring in a bill granting a gratuity to the petitioner."**

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Sutherland and Mr. Sullivan, and are as follow, viz.

## YEAS.

Messrs. Hambright,  
Hamilton,  
Hay,  
Kitchin,  
Knight,  
Logan,

## NAYS.

Messrs. Allshouse,  
Audenried,  
Dunlop,  
Emlen,  
Garber,  
Hawkins,  
Herbert,  
Hunt,  
Kelley,

## YEAS.

Messrs. Ogle,  
Petrikin,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, speaker, 12.

## NAYS.

Messrs. Kerlin,  
King,  
Leech,  
Mann,  
Moore,  
Ray,  
Schall,  
Seltzer,  
Sturgeon, 18.

So it was determined in the negative.

The question recurring,

Will the Senate adopt the resolution?

It was determined in the affirmative.

A motion was made by Mr. Audenried and Mr. Schall,

That when the Senate adjourns, it will adjourn to meet at 10 o'clock to-morrow morning, and that that be the standing hour of meeting until otherwise ordered.

Which was not agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 71, from the House of Representatives, entitled

§ "A supplement to an act, entitled An act for establishing a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. King in the chair, on bill No. 27, entitled

"A further supplement to the act entitled An act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

After some time,

The committee rose, and the chairman reported progress, and the committee of the whole obtained leave to sit again on to-morrow.

Adjourned until 11 o'clock, to-morrow morning:

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## THURSDAY, January 25, 1827.

Mr. Winter presented two petitions of similar tenor, signed by sundry citizens of Northampton county, praying for legislative aid in improving a certain road across Godfrey's mountain, between Stroudsburg and the Delaware Water Gap.

Which were referred to the committee on roads, bridges and inland navigation.

Mr. Petrikin presented the petition of William Alexander, late supervisor of Spring township, Centre county, praying for relief.

Which was referred to Messrs. Petrikin, Kelley and Hay:

Mr. Ray presented the petition and documents of John Barnes and Henry Burgher, of Union county, praying for compensation for a tract of donated land, to which John Barnes, deceased, a soldier of the revolution was entitled.

Which were referred to the committee on claims.

Mr. Emlen presented the petition of sundry directors and stockholders of the Schuylkill Bank, in the city of Philadelphia, praying for certain alterations in their act of incorporation.

Laid on the table.

Mr. Herbert, from the committee to whom was committed the resolution entitled "Resolution recommending Andrew Jackson as a candidate for president, to be supported by the state of Pennsylvania at the next presidential election," reported

Resolution No. 92, with a similar title, and that, on an attentive consideration of the resolution committed to them, the character of the distinguished individual alluded to, and the policy of the course pointed out by the resolution, presented themselves as subjects for consideration. Such a recommendation, if even proper, in the opinion of your committee, would not be calculated to give any additional force to the claims of Andrew Jackson in Pennsylvania. Happily the claims of Andrew Jackson do not require any extraneous interference to strengthen and support them. Resting on higher grounds, supported by the almost unanimous voice of the people of Pennsylvania, your committee are of opinion, that the non adoption of the resolution cannot, in the slightest manner, injure the prospects of that distinguished man. It cannot be forgotten that the people of Pennsylvania first introduced to the public Andrew Jackson, as the candidate for the presidency of the United States; and in the election which followed, gave to him their undivided support. Your committee feel themselves authorised to say that Pennsylvania will not be found retrograding, especially when it is known that the prospects of Andrew Jackson are brightening in every section of the republic. Your committee need only advert to the fact, that at the first and only convention of the people of this state, held subsequent to the late election for the presidency of the United States, met for the purpose of nominating a candidate for the chief magistracy of this state, a resolution was adopted, with great unanimity, expressing their unaltered "confidence in the patriotism, talents and inflexible integrity of General Andrew Jackson, and that his conduct during the pendency of, and after the late election of president of the United States, is deserving the unqualified approbation of the American people." And from every thing which has transpired since the session of that convention, your committee feel justified in saying that the cause of Andrew Jackson has been gathering new strength in Pennsylvania. On all occasions, and at all times, when the voice of the people has been uttered on this subject, they have no hesitation in expressing their decided opinion that the sentiments of the people of Pennsylvania, in favor of the election of Andrew Jackson, as the next president of the United States, remains fixed and unaltered, and that Andrew Jackson is emphatically the candidate of the people of Pennsylvania, and that he will receive the unanimous electoral vote of this state, for the high and distinguished station of president of the United States, at the next presidential election. With this view of the subject, your committee are of opinion that it would be inexpedient in the Senate to adopt the resolution committed to them. They therefore offer the following resolution:

Resolved, That the committee be discharged from the farther consideration of the subject.

A motion was made by Mr. Duncan and Mr. Knight,  
That the Senate proceed to the second reading and consideration of the report and resolution.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Emlen and Mr. Duncan, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Duncan, Emlen, Hunt, Kerlin,	Messrs. Knight, Leech, Petrikin, Sullivan, 9.
NAYS.	NAYS.
Messrs. Allshouse, Garber, Hambright, Hamilton, Hawkins, Hay, Herbert, Kelley, King, Kitchin,	Messrs. Mann, Moore, Ogle, Ray, Schall, Seltzer, Sturgeon, Sutherland, Winter, Mahon, speaker, 20.

So it was determined in the negative.

Mr. Hawkins, from the committee on the judiciary system, reported bill No. 93, entitled

"A further supplement to the act for the establishment of orphans courts."

Said bill was read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence, the bills numbered and entitled as follow, viz.

No. 94. "A supplement to the act entitled an act limiting the time during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers."

No. 95, "An act to perpetuate testimony in certain cases, and for other purposes."

No. 96, "An act to encourage the destruction of foxes and wild cats.

Said bills were read the first time.

Bill No. 71, from the House of Representatives, entitled

"A supplement to an act, entitled An act for establishing a health office, and to secure the city and port of Philadelphia



from the introduction of pestilential and contagious diseases, and other purposes,"

Was read the second time, and

Ordered to be prepared for the third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. King in the chair, on bill No. 27, entitled

"A further supplement to the act entitled An act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

After some time,

The committee rose, the chairman reported progress, and the committee of the whole obtained leave to sit again on to-morrow.

Adjourned until 11 o'clock, to-morrow morning.

## FRIDAY, January 26, 1827.

Mr. Logan presented the petition of sundry citizens of the counties of Cumberland, York and Adams, praying for legislative aid in erecting a bridge over Yellowbreeches creek, on the state road leading from Harrisburg to Gettysburg.

Which was referred to Messrs. Logan, Herbert and Winter.

Mr. Hawkins presented the petition of sundry inhabitants of the villages of Jefferson and Hamilton, in Greene county, praying that said villages may be erected into a borough, to be styled the borough of Jefferson.

Which was referred to Messrs. Hawkins, Knight and Moore.

Mr. Hawkins presented the petition of sundry citizens of Greene county praying for certain alterations in the law regulating the militia of this commonwealth.

Which was referred to the committee on the militia system.

Mr. Hawkins presented the petition of sundry citizens of Washington and Greene counties, praying for the laying out a state road from Waynesburg to Washington.

Laid on the table.

Mr. Knight, from the committee on roads, bridges and inland navigation, to whom was referred the petition of a number of the inhabitants of Indiana county, relating to the road laws, having had the same under consideration, submitted the following report:

The petitioners state in substance, that the consequence of the privilege allowed by the law to the taxable inhabitants to work out their respective road taxes upon the high ways, the whole amount of the assessment may be thus extinguished; in which event, should there be no unseated lands in such township, there would remain no taxes to collect in money, wherewith to remunerate the supervisor for his services. They ask the legislature so to change the law, as to give relief to the supervisors.

From the tenor of the petition, the committee are led to believe, that the petitioners were not so much aware of any particular cases of actual hardship under the law, as they were apprehensive of their occurrence. If any case of the kind had occurred it would have been easy to have named it, and if a hard one, requiring relief, the committee would not hesitate to recommend legislative interference in that behalf. Relief has been given to supervisors in several instances, but the occasions have not been numerous.

In the fourth section of the act of the sixth April, one thousand eight hundred and two, entitled "An act for laying out, making and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads," it is provided, that "in case such persons who shall have served as supervisor or supervisors shall be found to be in advance for moneys expended on the public roads, and shall have carefully collected the sums of money assessed and imposed by virtue of this act, then the said freeholders or inhabitants so chosen to settle the accounts as aforesaid, or any three of them, shall in like manner order the succeeding supervisor or supervisors to reimburse the same, as soon as a sufficient sum of money shall come into their hands."

This provision in the law will doubtless in most cases relieve the supervisors, especially if they have discharged the duties of their office in a proper manner.

The supervisors are authorised to assess and levy an annual tax to the amount of half a cent in the dollar on the last valuation which has been made for the county levies; and they are to superintend the making and repairing the roads, allowing such wages for labor as may be proper.

It is presumed there are few townships requiring the maximum tax, provided the labor be properly directed, economically performed, and proper wages allowed. The greatest source of the evils complained of, where they exist, is believed to be owing to two causes: First, giving higher wages for work done on the roads, in discharge of the taxes, than is the usual price of labor or hire in the country. In some townships it has been double. Second, expending the time and labor injudiciously. This may be in many ways. By not requiring a full days work for the wages of a day; by allowing too much for that let by the job; by allowing too many

hands to work in one company or party; by allowing the use of tools and implements unsuitable, such as the weeding hoe instead of the shovel, or some light and trifling instrument in lieu of the mattock or the pick; or, in many instances, by not using the plough and scraper or scoop instead of all these. A wonderful economy of time and labor may be produced by the proper use of the plough and scraper, implements which should not be wanting in any township.

Great waste of labor may be occasioned in consequence of the improper time and manner in which repairs are made. Supervisors sometimes neglect to repair the roads in the spring season, and the early part of summer, when one days work would go further in the substantial repair of a road than two would in the fall season; and the accommodation to the public in the use of the way would be proportional. The repairs are also often made in a manner so injudicious and slight that the first thunder shower washes them off, not unfrequently leaving the road in worse condition than before the labor was performed. A common error has been committed in extending a given quantity of labor over too much surface in width as well as in length of road. In this manner too much surface is prepared for the reception and collection of water, which should be guarded against as the most powerful agent in the destruction of the road; also, much road is gone over and passed as being in repair, when perhaps very little, if any part of it, is permanently benefitted. In this way the whole taxes of one year may be expended, without producing improvements calculated to lessen the taxes of the next.

The committee do not apprehend, however, that it would be expedient to undertake to remedy such evils by any enactment at present. Such a course might hazard oppression to greater extent than the evils to be remedied; besides, they are such as are within the control of the inhabitants themselves of the respective townships, and who are directly interested in the matter. It is also obvious that economy and skill is gradually and surely progressing in the supervision of the roads and highways within the commonwealth, and in proportion to the accession of wealth and the advancement of knowledge.

The many fine roads constructed in consequence of liberal appropriations by the state, have contributed greatly to enlighten the public mind in regard to the construction and the preservation of the roads; for science and skill have been thus called forth in the formation of roads which became patterns for others, so far as circumstances would permit.

Upon the whole, therefore, the committee are of opinion, that it is not necessary now to pass any general law to remedy the evil apprehended by the petitioners. They offer the following resolution:

Resolved, That the committee be discharged from the consideration of the subject.

On motion of Mr. Knight and Mr. Duncan,

The resolution attached to the above report, was read the second time, considered and adopted.

Mr. Mann, from the committee on the subject, on leave given, reported bill No. 97, entitled

"An act supplementary to an act for building a bridge over the river Schuylkill, opposite Norristown, in the county of Montgomery."

Said bill was read the first time.

On motion of Mr. Leech and Mr. Audenried,

Ordered, That when the Senate adjourns, it will adjourn to meet again at 10 o'clock, to-morrow morning, and that that be the standing hour of meeting, until otherwise ordered.

The Clerk of the House of Representatives being introduced, returned bill No. 43, entitled

"An act authorising the printing and distribution of an additional number of the pamphlet laws."

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

He further informed that the House of Representatives have concurred in the amendments by the Senate, to the bill No. 46, from the House of Representatives, entitled

"A supplement to the act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia, passed the third day of March, 1818," with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

Bill No. 71, from the House of Representatives, entitled

"A supplement to the act entitled an act for establishing a health office, and to secure the port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes,"

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the senate have passed the same with amendments, in which the concurrence of that house is requested.

On motion of Mr. Herbert and Mr. Duncan,

The report and resolution of the committee to whom was committed the resolution No. 54, entitled

"Resolution recommending General Andrew Jackson as a candidate for president, to be supported by the state of Pennsylvania, at the next presidential election,"

Was read the second time,

The same being under consideration,

A motion was made by Mr. Herbert and Mr. Duncan,

To postpone the report and resolution for the purpose of introducing the following as a substitute, viz.

"That the novelty of the proposition to recommend a candidate for the presidency of the United States, by the legislature of this state, the importance of the principle involved by it, and the high character of the distinguished individual alluded to, present themselves as subjects of serious consideration. The proposition to recommend a candidate for the presidency of the United States, to the people of this state, is for the first time presented as a subject for legislation in Pennsylvania. Such a recommendation cannot be brought within the legitimate scope of the power and duty of a state legislature, representing the state in a subordinate character of a member of the national government. To the people of this state, in the character of citizens of the United States, belongs the power of electing a chief magistrate of the union, in the manner prescribed by the constitution of the United States; and as the right of election is the only power which the people have reserved to be exercised by themselves, and by which they can control those intrusted with the powers of government, it is of the more importance that they should enjoy the free exercise of this right, untainted even by the suspicion of any extraneous interference. The impropriety of such an interference is so obvious, that it cannot be considered necessary to state reasons which must suggest themselves to every member of the Senate.

Happily the claims of Andrew Jackson do not require any interference of the legislature to strengthen and support them. Resting on higher grounds; supported as they are by the almost unanimous voice of the people of Pennsylvania, his claims are in hostility to all legislative interference whatever. It cannot be forgotten, that the people of Pennsylvania first introduced to the public Andrew Jackson as the candidate for the presidency of the United States, and in the election which followed, gave to him their almost undivided support. At the first and only convention of this state, held subsequent to the late election for the presidency of the United States, met for the purpose of nominating a candidate for the chief magistracy of this state, the delegates almost unanimously passed a resolution declaring "that their confidence in the patriotism, talents and inflexible integrity of General Andrew Jackson was unimpaired; and that his conduct during the pendency of, and after the late election of president of the United States, is deserving the unqualified approbation of the American people." From any thing which has transpired since the session of that convention, in any way connected with the next presidential election, and on all occasions, and at all times since that period, when the voice of the people of this state has been uttered on the subject, there can be no doubt but their sentiments in favor of Andrew Jackson, as the next president of the United States, remains

fixed and unaltered, and that General Jackson is emphatically the candidate of the people of Pennsylvania.

With this view of the subject, independent of any considerations growing out of the question as to the exercise by the legislature, of a power to recommend a candidate to the people, for the presidency of the United States, it would be altogether improper and inexpedient in the Senate to adopt the resolution:

Therefore, Resolved, That the resolution committed to the committee, is not a proper subject matter of legislation, and that the committee be discharged from any further consideration of the subject.

On the question,

Will the Senate agree to postpone the report and resolution, for the purpose of introducing the substitute?

A motion was made by Mr. Emlen and Mr. Petrikin,

To postpone the question, and that the substitute, report and original resolution, No. 92, entitled

“Resolution recommending General Andrew Jackson, as a candidate for president, to be supported by the state of Pennsylvania, at the next presidential election,”

Be re-committed to the same committee.

On the question,

Will the Senate agree to the motion?

A division of the question was called for by Mr. Ogle and Mr. Garber, to end with re-committing.

On the question,

Will the Senate agree to re-commit?

The yeas and nays were required by Mr. Mann and Mr. Sturgeon, and are as follow, viz.

YEAS.

Messrs. Dunlop,  
Emlen,  
Garber,  
Kelley,  
Kerlin,  
King,

NAYS.

Messrs. Allshouse,  
Audenried,  
Duncan,  
Humbright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,  
Hunt,

YEAS.

Messrs. Knight,  
Leech,  
Ogle,  
Petrikin,  
Seltzer,  
Sullivan,

12.

NAYS.

Messrs. Logan,  
Mann,  
Moore,  
Ray,  
Schall,  
Sturgeon,  
Sutherland,  
Winter,  
Mahon, speaker,

13.

So it was determined in the negative.

The question recurring,

Will the Senate postpone the report and resolution, for the purpose of introducing the substitute?

A motion was made by Mr. Kitchin and Mr. Kelley,

That the question, together with the report, resolution and substitute be indefinitely postponed.

On the question,

Will the Senate agree to this motion?

The yeas and nays were required by Mr. Ogle and Mr. Kerlin, and are as follow, viz.

## YEAS.

Messrs. Emlen,  
Kelley,  
Kerlin,  
King,  
Kitchin,  
Knight,

## YEAS.

Messrs. Leech,  
Logan,  
Petrikin,  
Schall,  
Sullivan,

11.

## NAYS.

Messrs. Allshouse,  
Audenried,  
Duncan,  
Dunlop,  
Garber,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,

## NAYS.

Messrs. Hunt,  
Mann,  
Moore,  
Ogle,  
Ray,  
Seltzer,  
Sturgeon,  
Sutherland,  
Winter,  
Mahon, speaker,

20.

So it was determined in the negative.

The question recurring,

Will the Senate agree to postpone the report and resolution, for the purpose of introducing the substitute?

A motion was made by Mr. Herbert and Mr. Duncan,

To postpone the question, together with the report and resolution, for the present,

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kitchin in the chair, on bill No. 64, entitled

"An act authorising the governor to incorporate the Mahanoy navigation company."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 10 o'clock, to-morrow morning.

**SATURDAY, January 27, 1827.**

Mr. Winter obtained leave of absence for Mr. King, for a few days.

Mr. Hamilton obtained leave of absence for Mr. Hambright, for a few days.

Mr. Sutherland presented the remonstrance of the commissioners and inhabitants of the township of Moyamensing, Philadelphia county, against granting James Ronaldson, the exemption from taxation of a certain grave yard, in said township.

Laid on the table.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported bill No. 98, entitled

"An act authorising the governor to incorporate the Allegheny and Conewango canal company."

Mr. Hawkins, from the committee on the subject, on leave given, reported bill No. 99, entitled

"An act to incorporate the towns of Jefferson and Hamilton, in Greent county, into a borough."

Mr. Logan, from the committee on the subject, on leave given, reported bill No. 100, entitled

"An act appropriating a sum of money to the erection of a bridge over the Yellowbreeches creek."

Mr. Kerlin read in place, and on leave given, presented to the chair bill, No. 101, entitled

"An act authorising the removal of the seat of government to the city of Philadelphia."

Said bills were read the first time.

Mr. Herbert, from the committee to compare bills. and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the governor, for his approbation, the bills numbered and entitled as follow, viz.

No. 53, "An act to improve a certain public road, crossing the Lehigh hills, opposite the village of Bethlehem, in Northampton county,"



No. 71, "A supplement to an act, entitled An act for establishing a health office, and to secure the city and port of Philadelphia, from the introduction of pestilential and contagious diseases, and for other purposes."

Laid on the table.

On motion of Mr. Ogle and Mr. Audenried,

The amendments by the House of Representatives, to bill No 43, entitled

"An act to authorise the printing and distribution of an additional number of the pamphlet laws,

Were read the second time, and committed to Messrs. Kerlin, Audenried, Moore, Power and Hamilton.

A motion was made by Mr. Kelley and Mr. Knight, and read as follows, viz.

Resolved, That a committee be appointed to inquire into the expediency of rendering some assistance, on the part of this state, to the American Colonization Society, towards removing to Liberia, on the coast of Africa, such free people of color, as now reside in Pennsylvania, and who may be willing to emigrate.

Laid on the table.

Bill No. 64, entitled

"An act authorising the governor to incorporate the Mahanoy Navigation Company,

Was read the second time, and

Ordered, To be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill, No. 56, entitled

"An act to annul the marriage contract of Joseph Zuber and Mary (alias Anna Maria) his wife."

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

It was determined in the affirmative.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 85, entitled

"An act concerning weights and measures."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Tuesday next, the 30th instant.

On motion of Mr. Audenried and Mr. Schall,

The Senate resolved itself into a committee of the whole, Mr. Logan in the chair, on bill No. 62, entitled

"A supplement to the act entitled an act to authorise the governor to incorporate a company to make a lock navigation on the east branch of the river Schuylkill, called the Little Schuylkill."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ray and Mr. Moore,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 69, entitled

"An act to establish an academy in the town of Mifflinburg, in the county of Union."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Mann and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 76, entitled

"An act for the relief of James Murphy, a soldier of the revolution."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ogle and Mr. Mann,

Said bill was read the second time; and

Ordered, To be transcribed for the third reading.

Mr. Kerlin, from the committee to whom was committed the amendments by the House of Representatives, to bill No. 43, entitled

"An act to authorise the printing and distribution of an additional number of pamphlet laws,"

Reported said amendments as committed.

On motion of Mr. Mann and Mr. Ogle,

The Senate concurred in said amendments, and

Ordered, That the Clerk inform the House of Representatives accordingly.

Adjourned until 10 o'clock, on Monday morning next.

**MONDAY, January 29, 1827.**

Mr. Knight obtained leave of absence for Mr. Kitchin, for a few days.

Mr. Ray presented the petition of sundry citizens of Union county, praying for legislative aid in the erection of an academy in the town of Mifflinburg, in said county.

Laid on the table.

Mr. Garber presented the petition of sundry members of the bar and citizens of the counties of Mifflin, Huntingdon and Centre, praying that the president judge of the ninth judicial district, of Pennsylvania, may be authorised to hold special courts in said counties.

Which was referred to the committee on the judiciary system.

Mr. Winter presented the petition of sundry citizens of Smithfield township, in Northampton county, praying that the law authorising James Bell and Evan Thomas, to build a bridge over Smithfield creek, in the township and county aforesaid, may be repealed.

Which was referred to Messrs. Winter, Kerlin and Petrikin.

Mr. Garber presented the petition of Esther Bouslaugh, of the county of Huntingdon, praying to be divorced from the bonds of matrimony.

Which was read and referred to Messrs. Garber, Sturgeon and Power.

The Speaker laid before the Senate, a letter from the president of the Germantown and Perkiomen turnpike road company, accompanied with an abstract of the affairs of said company, which were read as follow, viz.

*Philadelphia, 5d January, 1827.*

SIR—

In conformity with the eighteenth section of the act, entitled "An act to enable the governor of this commonwealth, to incorporate a company to make an artificial road from the city of Philadelphia, through Germantown, to the ten mile stone, on Chesnut hill," &c., I have the honor to annex an abstract of the accounts the Germantown and Perkiomen turnpike road company, for

year one thousand eight hundred and twenty-six, which I beg the favor of your laying before the honorable the Senate, on behalf of the president, managers and company.

With great respect,

I have the honor to be, sir,

Your very obedient servant,

BENJAMIN CHEW,

Pre'st. of the G. and P. T. Road Company.

*To the Honorable the Speaker of the Senate  
of the Commonwealth of Pennsylvania.*

*An abstract of the accounts of the GERMANTOWN and PER-  
KIOMEN TURNPIKE ROAD COMPANY, for the year  
ending November 7th, 1826.*

Capital stock, divided into 2850 shares,	\$ 285,000	
Surplus at dividend, November, 1825,		\$ 272 51
Received, amount of rents,	13 71	
“ value of stone from stone quarry,	13 05	
“ amount of tolls, up to May, 1826,	11,346 25	
“ amount of tolls, up to Nov. 1826,	8,205 84	
	<hr/>	19,578 85
Deficiency at dividend in May, 1826,		264 47
do. do. Nov.		436 09
		<hr/>
		\$ 20,552 82
		<hr/>
Paid expenses, repairs, &c. to May, 1826,	\$ 6,187 30	
do. to Nov.	5,815 52	
Dividend, in May, 1826, two per cent.	5,700 00	
do. Nov. one per cent.	2,850 00	
	<hr/>	20,552 82
		<hr/>

GEO. N. HARVEY, Treas'r.

Errors excepted, Philadelphia, November 15, 1826.

Laid on the table.

Mr. Seltzer obtained leave to withdraw the petition and documents of Mary Zuber, of Lebanon county.

On motion of Mr. Hawkins and Mr. Ray,

The letter from C. F. Mercer, chairman of a committee of the Chesapeake and Ohio canal convention, together with the memorial on that subject, were referred to the committee on roads, bridges and inland navigation.

Mr. Petrikin, from the committee on the subject, on leave given, reported bill No. 102, entitled

“An act for the relief of William Alexander, late a supervisor of Spring township, in the county of Centre.”

Mr. Hunt from the committee on the subject, on leave given, reported bill, No. 103, entitled

"A supplement to the act, entitled "An act for the relief of Samuel Richards and Moses M'Cormick, and to authorise Daniel Beckley and others, to convey a lot of ground."

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives have concurred in the amendments by the Senate, to the bill No. 71, entitled

"A supplement to an act, entitled An act for establishing a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes,"

Laid on the table.

Bill No. 64, entitled

"An act authorising the governor to incorporate the Mahanoy navigation company,"

Was read the third time.

On the question,

Shall this bill pass?

A motion was made by Mr. Ray and Mr. Mann,

To postpone the question, together with the bill, untill to-morrow.

Which was agreed to.

Bill No. 76, entitled

"An act for the relief of James Murphy, a soldier of the revolution,"

Was read the third time and passed.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Mann and Mr. Ray, and read as follows, viz.

"Resolution for the further distribution of the pamphlet laws of this commonwealth.

"Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the Secretary of the Commonwealth is hereby authorised and required to purchase and deliver, in the manner the other pamphlet laws are now delivered, one copy to each district judge, not now authorised by law to receive the same; and one copy to the deputy attorney general, of each county in the commonwealth, to be delivered to their successors, in the manner provided by law, in the case of other officers."

Said resolution was read the first time.

Bills numbered and entitled as follow, were severally read the second time, and ordered to be transcribed for the third reading.

No. 62, "A supplement to the act, entitled " An act to authorise the governor to incorporate a company to make a lock navigation, on the East Branch of the river Schuylkill, called the Little Schuylkill."

No. 69, "An act to establish an academy in the town of Mifflinburg, in the county of Union."

The Secretary of the Commonwealth being introduced, presented a message from the governor, which was read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the general assembly, and directed the Secretary of the Commonwealth to return them to the House of Representatives, in which they originated, viz.

No. 53, "An act to improve a certain public road, crossing the Lehigh hills, opposite the village of Bethlehem, in Northampton county,"

No. 71, "A supplement to the act entitled an act for establishing a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes,"

J. ANDW. SHULZE..

*Harrisburg, January 29, 1827.*

Laid on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 27, entitled

"A further supplement to the act entitled An act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

After some time,

The committee rose, the chairman reported progress, and the committee of the whole obtained leave to sit again on to-morrow.

Adjourned until 10 o'clock, to-morrow morning.

**TUESDAY, January 30, 1827.**

Mr. Sullivan presented the memorial of sundry stockholders of the Bank of Pittsburg, praying for certain alterations in their act of incorporation.

Laid on the table.

Mr. Dunlop presented the petition and documents of David Wolf and Henry Hermonne, late supervisors of Fannet township, Franklin county, praying for relief.

Which were referred to the committee on claims.

Mr. Audenried presented the petition of sundry citizens of Schuylkill county, praying for a review of a certain state road, from M'Keansburg, in said county, to Kleinsville, in Berks county.

Said petition, together with those already presented on the same subject, were referred to Messrs. Audenried, Schall and Sullivan.

Mr. Garber, from the committee on the subject, on leave given, reported bill No. 105, entitled

"An act to annul the marriage of Sebastian Bouslaugh and Esther, his wife."

Mr. Petrikin read in his place, and on leave given, presented to the chair bill No. 106, entitled

"An act authorising the payment of costs, at the suit of the commonwealth against the Harrisburg Fire Insurance and Water Company."

Said bills were read the first time.

Bill No. 62, entitled

"A supplement to the act entitled an act to authorise the governor to incorporate a company to make a lock navigation on the east branch of the river Schuylkill, called the Little Schuylkill,"

Was read the third time and passed.

The Senate resumed the third reading of bill No. 64, entitled

"An act authorising the governor to incorporate the Mahanoy navigation company."

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Ray and Mr. Mann,  
To postpone the question, and that the Senate resolve itself into a committee of the whole on said bill, for the purpose of general amendment.

Which was agreed to.

Whereupon,

The Senate again resolved itself into a committee of the whole, Mr. Sturgeon in the chair, on said bill.

After some time,

The committee rose, and the chairman reported the bill with sundry amendments.

On the question,

Will the Senate agree to the amendments reported by the chairman of the committee of the whole?

It was determined in the affirmative.

The question then recurring,

Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

Bill No. 9 entitled

"An act to establish an academy in the town of Mifflinburg, in the county of Union,"

Was read the third time.

On the question,

Shall this bill pass?

A motion was made by Mr. Ray and Mr. Moore,

To postpone the question, together with the bill, for the present.

Which was agreed to.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 85, entitled

"An act concerning weights and measures."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 27, entitled

"A further supplement to the act entitled An act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."



After some time,

The committee rose, the chairman reported progress, and the committee of the whole obtained leave to sit again on to-morrow.

Adjourned until 10 o'clock, to-morrow morning.

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## WEDNESDAY, January 31, 1827.

Mr. Hambright presented the petition and documents of Margaret Blattenberger, of Lancaster county, widow of a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Mr. Kelley presented three remonstrances of similar tenor, from sundry citizens of Armstrong county, against repealing the law declaring Clarion river a public highway.

Laid on the table.

Mr. Hamilton presented nineteen petitions, of similar tenor, from a number of the citizens of Lancaster county, praying for the passage of a law, authorising Samuel Hopkins to build a bridge across the Swatara creek, at or near it's mouth, at his own expense, and to collect tolls.

Which were referred to the members from the counties of Lancaster, Dauphin and Lebanon.

Mr. Kelley presented three petitions, of similar tenor, from sundry citizens of Venango county, praying for the incorporation of a company to make a turnpike road, from the town of Shippensville, to the town of Foxburg.

Which were referred to the committee on roads, bridges and inland navigation.

The Speaker laid before the Senate, a letter from the Secretary of the Commonwealth, which was read as follows, viz.

### SECRETARY'S OFFICE.

January 31, 1827.

*Alexander Mahon, Esquire,  
Speaker of the Senate.*

SIR—

I have the honor to inform the Senate, that sundry documents, together with depositions, interrogatories and cross examinations,

taken in the case of Thomas Coats, jr. Esq.'a justice of the peace, of the county of Philadelphia, before Edward King, Esquire, president and judge of the court of common pleas, of the first judicial district of this commonwealth composed of the city and county of Philadelphia, have this day been laid before the house of representatives, pursuant to an act of the general assembly, passed the fourteenth day of January, one thousand eight hundred and four, entitled "An act directing the mode of taking testimony in cases of complaint against justices of the peace."

I have the honor to be,

Very respectfully,

Your obedient servant.

I. D. BARNARD,

Sec'y of Com'th.

Laid on the table.

Mr. Mann, from the committee on claims, to whom was referred the petition and documents of Isaac Gibson, reported:

That the petitioner states, that in the year 1776, he was commissioned a surgeon of the first regiment of Chester county associates; that he continued to act as surgeon of the regiment through the various terms of service during the war; that he traversed the Jersey with the American army in 1776 and '77, and through much difficulty and danger, gave his unremitted attention to the sick and wounded, at the various battles, particularly at Brandywine, and the horrible and dreadful slaughter at the Paoli; that he expended \$150 for medicine, for which he never received any remuneration; that he never received but two months' pay, which amounted to seventy dollars, for all his services; that he is now old and infirm, and his constitution much impaired, so that he is under the necessity of soliciting such compensation for his services as the legislature may see proper to grant. Your committee, in deciding upon the validity of this claim, have gone into a full examination of all the papers submitted to them, and beg leave to state that the petitioner has given the best evidence of his appointment as a surgeon, viz. the commission itself, signed by the speaker of the assembly, John Morton, under date of the 8th July, 1776. In addition to that is the deposition of Alexander Nesbit, so that no doubt remained on the minds of the committee as to his services. But inasmuch as no trace of his name, or any arrearage of pay, appears on the books of any of the offices; or any other evidence to corroborate his own statement, that any arrearage of pay is due, your committee conceive that it would be inexpedient to grant the prayer of the petitioner, and offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Ray,

The resolution attached to the above report was read the second time, considered and adopted.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported two bills, numbered and entitled as follow:

No. 107, "An act to enable the governor to incorporate a company, for making an artificial road, from the borough of Mercer, in the county of Mercer, through Greenville, to the line of the state of Ohio, at William Mossman's, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio."

No. 108, "An act to authorise John Towers, to erect a bridge over the canal and river Schuylkill, at a town called Manayunk, in the county of Philadelphia."

Mr. Hawkins, from the committee on the judiciary system, to whom had been committed, bill No. 70, entitled

"An act to prevent the failure of trusts, and for other purposes,"

Reported bill No. 109, with a similar title.

Said bills were read the first time.

The Senate resumed the third reading of bill No. 69, entitled  
"An act to establish an academy in the town of Mifflinburg, in the county of Union."

The question recurring,  
Shall this bill pass?

It was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Bill No. 85, entitled

"An act concerning weights and measures,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 27, entitled

"A further supplement to the act, entitled "An act to establish a board of wardens, for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

After some time,

The committee rose, the chairman reported progress, and the committee of the whole obtained leave to sit again on to-morrow.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill, entitled as follow:

No. 110, "An act erecting all that part of Mifflin county, south and east of the Black Log and Shade mountains, into a separate county, to be called Juniata"

Said bill was read the first time.

Bill No. 101, on which no order had been taken, entitled  
 "An act authorising the removal of the seat of government to the  
 city of Philadelphia."

On the question,

What day will the Senate assign for the order of this bill?

Mr. Petrikin named the first Monday of May next.

Mr. Kelley named next Tuesday three weeks.

On the question,

Shall this bill be made the order of the day for the first Monday  
 of May next?

The yeas and nays were required by Mr. Hawkins and Mr.  
 Seltzer, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Andenried, Hawkins, Knight, Logan, Moore, Petrikin,	Messrs. Power, Ray, Schall, Seltzer, Sturgeon, Sullivan, Mahon, speaker, 14.
NAYS.	NAYS.
Messrs. Duncan, Dunlop, Emlen, Garber, Hambright, Hamilton, Hay, Herbert,	Messrs. Hunt, Kelley, Kerlin, Leech, Mann, Ogle, Sutherland, Winter, 16.

So it was determined in the negative.

On the question,

Shall this bill be the order of the day for next Tuesday three  
 weeks?

It was determined in the affirmative.

Adjourned until 10 o'clock, to-morrow morning.

**THURSDAY, February 1, 1827.**

Mr. Logan presented the petition of the York Washington artillerists, praying to be exempted from training with the militia, on days of regimental training.

Which was referred to the committee on the militia system.

The Secretary of the Commonwealth being introduced, presented a message, accompanied with documents, from the governor, which were read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to you a copy of a letter from the Governor of the state of Ohio, accompanied by a copy of an act of the legislature of that state, to incorporate the Pennsylvania and Ohio Canal Company, which I am requested by said letter to lay before the general assembly of Pennsylvania, for their assent.

J. ANDW. SHULZE.

*Harrisburg, February 1, 1827.*

**COLUMBUS, OHIO, EXECUTIVE OFFICE.**

*January 18, 1827.*

*His Excellency,*

*The Governor of Pennsylvania.*

SIR—In obedience to a resolution of the general assembly of this state, I herewith transmit to your excellency, an authenticated copy of an act entitled "An act to incorporate the Pennsylvania and Ohio Canal Company," passed the 10th day of January, 1827. with a request that you will lay the same before the legislature of the state of Pennsylvania, and invite their assent thereto.

I have the honor to be,

Sir, with great respect,

Your most obedient,

ALLEN TRIMBLE.

***AN ACT to incorporate the Pennsylvania and Ohio Canal Company.***

Sect. 1. Be it enacted by the General Assembly of the state of Ohio, That Abner Lacock, William Rayen, Leicester King, Bazeleel Wells, Eliakim Crosby, Jonathan Sloane, Charles Shaler, James Nelson, Arther Chinneworth, William Ayres, Robert Dar-

rah, Thomas Henry and Hugh Davis, their associates and successors be, and they are hereby constituted and made a body politic and corporate, and shall be and remain a corporation forever, under the name of "The Pennsylvania and Ohio Canal Company;" and by that name may sue and prosecute, and be sued and prosecuted to final judgment and execution, in all courts having competent jurisdiction; and may have a common seal, and the same alter and renew at pleasure; and shall be, and hereby are, vested with all the powers and privileges, which are by law incident to corporations of a similar nature, and which are necessary to carry into effect the objects of this association.

Sect. 2. That the said corporation be, and they are hereby authorised, so soon as the legislature of Pennsylvania shall give their assent to the provisions of this act, to locate, make, construct and forever maintain, a navigable canal, with all necessary locks, towing paths, basins, aqueducts, culverts, waste-weirs, dams, wharves, embankments, toll-houses and other necessary appendages, commencing at such suitable point on the Portage Summit of the Ohio canal, as the Ohio canal commissioners shall direct, thence to the waters of the Mahoning river, and thence to meet or intersect the Pennsylvania or Chesapeake and Ohio canal, at or near the city of Pittsburg, in the state of Pennsylvania, with liberty, in case that either of the said canals shall be continued from Pittsburg, down the Ohio river and up the valley of the Big Beaver, towards Lake Erie, then to intersect either of said canals, constructed as aforesaid, at the most suitable and convenient point; with further power to employ and use as reservoirs or feeders for the purpose of supplying with water said canal, or such works as may have any portion of their waters diverted from them to supply said canal, the different ponds, rivers and streams of water, near or over which said canal may pass; and also to save the flood, and other waters in the said ponds, rivers and streams, so used as aforesaid, and to construct artificial reservoirs for the purposes aforesaid; and the said corporation shall have power to connect with said canal, by feeders or by navigable canals, any or all of said ponds, rivers, streams and reservoirs

Sect. 3. That for the purpose of assuring to the said corporation all the lands, real estate, waters and materials, requisite for most economically constructing and maintaining said canal, and the works connected therewith, and incident and necessary to the navigation of the same, whenever the said lands, waters and materials shall not be obtained by voluntary donation, or fair purchase, it shall be lawful for said corporation, by any of their officers, and by each and every agent, superintendent or engineer by them employed, to enter upon, take possession of and use all such lands, real estate and streams, as shall be necessary for the purposes aforesaid; and also to enter upon and take all necessary materials for the construction of said canal and other works connected therewith, adjoining or near said canal or other works, on whose lands soever the same may be, doing thereby no unnecessary damage, they satisfying and paying all damages which may be occasioned thereby, to any person or per-

sons, corporation or corporations, in the manner hereinafter provided.

Sect. 4. That if at any time after said canal, or any of its branches or feeders are located, any unforeseen obstacles, impediments or inconveniencies occur on the route located, the said corporation shall have power to deviate from the course marked out, so far, and in such manner, as may be best calculated to surmount, overcome or avoid such obstacles or inconveniencies, said corporation satisfying all damages which may be occasioned thereby, in the manner hereinafter provided; and said corporation may from time to time, make such alterations in the course of said canal, its branches and feeders, as may be necessary or expedient, satisfying all damages in manner aforesaid.

Sect. 5. That the said corporation be, and hereby are, authorised and empowered to purchase and hold, to them and their successors forever, real and personal estate, to any amount necessary for constructing, maintaining and repairing said canal, and the works connected therewith as aforesaid; and may receive, hold and take all voluntary grants and donations of lands and real estate, which shall be made, to aid the objects of said corporation; and may also erect mills and other hydraulic works, on the waters connected with said canals, feeders and reservoirs; and whenever, in either of the ways aforesaid, said corporation shall become possessed of, and own any lands or real estate, which it may be necessary for them to retain, for the purposes aforesaid, it shall be lawful for them to lease, occupy, alien and convey the same, by lease or deed, with their seal affixed thereto: *Provided however*, That all lands and waters belonging to said corporation, necessary for the navigation of said canal, and for maintaining and repairing the same, and the works connected therewith, as aforesaid, shall be held by said corporation, and applied to and for the aforesaid purposes.

Sect. 6. That a toll be, and hereby is, granted and established for the sole benefit of said corporation, forever; and it shall be lawful for said corporation, from time to time, to fix, regulate and receive the tolls and charges by them to be received for the transportation of property or persons, on the canals authorised by this act: *Provided*, That the tolls and charges thus fixed, regulated and received by said corporation, shall at no time exceed the highest rate of tolls and duties, together with the charges or freight to which property of a similar kind is subjected, as the costs of transportation, on the Ohio canal, or on the western section of the Pennsylvania canal, during the same period of time.

Sect. 7. That the president and directors of said corporation, shall have power, from time to time, to make and ordain such by-laws, rules and regulations, as may be necessary, touching the premises; especially to fix upon and determine the size and form of boats, rafts and all other vessels that shall be used for the purpose of navigating said canal or any of its branches; to determine the time and manner of their passing the locks, and what commodities shall not be transported during a want of water, should such an event happen, on any portion of said canal; provided the same be



not repugnant to the constitution and laws of this state or of the United States. And the penalties provided by said by-laws, rules and regulations, may be sued for, and recovered by the treasurer of said corporation, or by any other person thereunto by said corporation authorised, to their own use and benefit, before any court having competent jurisdiction; which penalties shall in no case exceed the sum of ten dollars. And said corporation shall cause said by-laws, to the breach of which penalties are affixed, to be printed, and a copy thereof to be placed in some conspicuous situation at each toll-house; and if any person or persons shall wilfully or maliciously mar, deface or pull down any copy so set up, said corporation may sue for and recover, to their own use, a sum not exceeding ten dollars, nor less than five dollars, of any such person or persons.

Sect. 8. That if any person or persons, shall wilfully obstruct the water or navigation, remove or in any way spoil, injure or destroy said canal or its branches, feeders or reservoirs, or any part thereof, or any thing belonging thereto, or any materials to be used in the construction thereof, such person or persons, (or any person or persons, assisting, aiding or abetting in such trespass,) shall forfeit and pay to the said corporation, treble the amount of the damages sustained by means of such offence or injury, to be sued for and recovered, with costs of suit, and by action of debt, in any court having competent jurisdiction, by the treasurer of said corporation, or by any other person thereunto by said corporation authorised.

Sect. 9. That whenever any lands, waters, streams or materials, shall be taken and appropriated, by said corporation, for the location or construction of said canal, or any of its branches, feeders or appendages, or any work or device appertaining thereto, and the same shall not be given or granted to said corporation, and the proprietor or proprietors do not agree with the said corporation; as to the amount of damages or compensation, which ought to be allowed and paid therefor, and shall not mutually agree on some person or persons to appraise the same, the damages shall be estimated and assessed by three commissioners, to be appointed by joint resolution of the legislature, for that purpose, (vacancies, if any happen in the recess of the legislature, to be filled by the governor,) in manner following: Whenever said corporation shall have located said canal, or any part thereof, or any of its branches, feeders or reservoirs, and shall have put the same under contract, or shall have used or appropriated any waters, streams or materials for the construction thereof, any person or persons, corporation or corporations injured thereby, may, at any time within six months thereafter, file his, her or their claim for damages in writing, particularly describing the premises, with some one of said commissioners, or with the clerk of the court of common pleas, for the county in which the damages complained of, are sustained; and said commissioners, or any two of them, having been first duly sworn to a faithful and impartial discharge of their duties, within a reasonable time thereafter, having given previous notice to all parties interested, of the time, and of the claims to be examined, by publishing an advertisement thereof,



three successive weeks, in some newspaper printed in said county, and in general circulation therein, shall meet and pass over the premises so used or appropriated by said corporation, for the purposes aforesaid. and after hearing the parties in interest, or such of them as desire to be heard, shall, according to their best skill and judgment, estimate all such damages, as they shall think any person or persons, corporation or corporations, have sustained, or will sustain, by the opening of said canal, or any of its branches or feeders, through his, her or their lands, or by the construction of any reservoirs, embankments, towing paths, basins, wharves or other appendages, or for any materials used in the construction thereof, or from the diversion of the water from any of the ponds, rivers or streams, hereinbefore mentioned, over and above the benefit and advantage, which said commissioners shall adjudge, may accrue to such person or persons, corporation or corporations, from opening said canal; and the said commissioners, or any two of them, shall make out a report in writing, and as soon as may be, file the same with the clerk of the court of common pleas, for said county, and the same may be made a rule of said court, at the next succeeding, or any subsequent term thereof, as in the case of awards. And the report of said commissioners, when affirmed and recorded, shall forever be a bar to any action commenced or to be commenced for damages against said corporation, on account of the injury for which such damages were awarded. And if the party filing a claim for damages, as aforesaid, shall fail to obtain damages in his favor, such party shall be liable for all costs arising from such application, and the court may enter judgment and issue execution therefor, as in other cases. And on all judgments against said corporation, for damages assessed as aforesaid, or for the costs thereof, execution may issue, in the common form, *mutatis mutandis*, and may be levied upon the goods and chattels, lands and tenements, of said corporation. And said commissioners shall be allowed three dollars a day, each, for their services, under the provisions of this act, to be paid by said corporation, except as hereinbefore provided.

Sect. 10. That it shall be the duty of said corporation, to make and construct said canal, with good and sufficient locks, which shall not be less than the Ohio Canal, or the western section of the Pennsylvania Canal, in regard to the average breadth and depth of the water therein, and the length and breadth of the locks erected thereon, so as to admit of the easy passage of the same, boats or other water crafts, which may be used in the navigation of said canals; and also to build and keep in good repair, suitable and convenient bridges over said canal, in all such places, where said canal shall pass any existing state or county road, which, at the time shall be opened and used as such, and where the commissioners, appointed to estimate damages as aforesaid, shall deem such bridge necessary and expedient; and the said canal and the works to be erected thereon, in virtue of this act, when completed, shall forever thereafter be esteemed and taken to be navigable as a public highway, free for the transportation of

all goods, commodities and produce whatever, on payment of the tolls to be imposed, as provided by this act, and no other toll or tax whatever, for the use of said canal, and the works thereon erected, shall at any time hereafter be imposed, but by consent of the said states of Ohio and Pennsylvania.

Sect. 11. That in all cases where any road or public highway is so located, that said canal, or any of its tributaries, cannot be judiciously laid out and made without its interfering therewith, it shall be lawful for said corporation to cause such road or highway to be so altered, as that said canal and other works may be laid out and constructed on the most advantageous site of ground: *Provided*, That said corporation shall cause such road or highway thus altered, to be put in as good repair as the old one was, at the time of removing the same, at their own costs and expenses, and before shutting up, or obstructing said highway.

Sect. 12. That if after the location and construction of said canal as aforesaid, any alterations shall be made in the course thereof, or in the course of any of its feeders or branches, or if any new reservoirs, branches or feeders shall be made in aid of said canal, the damages may be estimated in the same way, and the same proceedings had, in manner provided in this act: *Provided, however*, That in all cases, it shall be competent for said company, and any person or persons, corporation or corporations, injured by the location or construction of said canal, or any of its tributaries, or appendages, to submit the question of damages to such arbitrators, as they may agree upon, whose award, when made and returned to the court of common pleas within and for the county wherein the damages have been sustained, and affirmed by said court, shall be final, and said court may enter judgment accordingly.

Sect. 13. That the said corporation shall be, and is hereby authorised to raise sufficient funds for the accomplishment of the objects aforesaid; and for that purpose, the persons named in the first section of this act, or a majority of them, shall be commissioners, whose duty it shall be, so soon after the taking effect of this act, as a majority of them shall judge proper, to cause books to be opened at such times and places as they shall think fit, in the states of Ohio and Pennsylvania, and elsewhere, under the management of such persons as they shall appoint, for receiving subscriptions to the capital stock of said company, each share to be of the amount of one hundred dollars, and each subscriber to be a member of said corporation for all purposes; and public notice shall be given, in such manner as may be deemed advisable by said commissioners, of the times and places of opening said books; and the said commissioners, or a majority of them, may prescribe the form of said subscription, and whenever the sum of five hundred thousand dollars, or a greater part of the stock of said company, shall have been subscribed, it shall be the duty of said commissioners, or a majority of them, to call a meeting of the stockholders, by causing notice to be published in one or more newspa-

pers in general circulation in the respective places, in which the books shall have been opened, and stock subscribed, at least twenty days previous thereto, of the time and place of such meeting, which shall be at some convenient town, or place near the route of the contemplated canal; at which meeting the stockholders who shall attend for that purpose, either in person or by lawful proxy, shall elect by ballot seven directors, who shall hold their offices until the expiration of one year, and until others shall be chosen in their places; and the said commissioners shall be inspectors of the first election of directors of the said corporation, and shall certify under their hands, the names of those duly elected, and shall deliver over to them the said certificates and subscription books; and at said election, and at all other elections, or voting of any description, every member shall have a right to vote by himself, or proxy duly authorised in writing, and each share shall entitle the holder to one vote; and that the management of the concerns of the said corporation, shall be entrusted to seven directors, to be elected annually by the stockholders, by ballot; and that the directors first chosen, and such directors as shall thereafter be chosen, at any subsequent election, shall immediately thereafter, meet and elect one of their number, who shall be president thereof, until another election, and also elect a treasurer and secretary, who may be removed at the pleasure of the said president and directors, and others elected in their places; and that a majority of the said directors shall constitute a board, for every purpose within the provisions of this act.

Sect. 14. That in case it should at any time happen that the election of directors shall not be made on any day, when pursuant to this act, it ought to be made, the said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any other time, directed by the by-laws of the said corporation.

Sect. 15. That the books of subscription shall remain open as long as the president and directors of said company shall see fit; and each subscriber shall be bound to pay, from time to time, such instalments on his stock, as the said president and directors may lawfully require, they giving at least thirty days previous notice, of the time and place of making the payments required, in at least one newspaper in general circulation in each of the counties through which said canal may pass; but no assessment shall ever be made, so as to render any subscriber liable to pay more than one hundred dollars for a share. If, however, after the closing of said books, or at any time, it shall appear that sufficient funds have not been raised, the president and directors of said company, or its officers duly authorised for that purpose, may, at any time, and from time to time, raise the necessary funds, by creating and selling additional shares, in such manner and upon such terms, as the said president and directors shall prescribe; and the holders of such additional shares, shall thenceforward be members of said corporation for all purposes.

**Sect. 16.** That if any subscriber shall neglect to pay his subscription, or any portion thereof, for the space of thirty days after he is required so to do, by the said president and directors, notice having been given as required in this act, the treasurer of said corporation, or other officer duly authorised for that purpose, may make sale of such share or shares, at public auction, to the highest bidder, giving at least thirty days previous notice thereof, in some newspaper in general circulation at the place of sale; and the same shall be transferred by the treasurer, in the manner hereinafter provided, to the purchaser; and such delinquent subscriber shall be held accountable to the corporation for the balance, if his share or shares shall be sold for less than the amount remaining due thereon, and shall be entitled to the overplus, if the same be sold for more than the amount so remaining due, after deducting the costs of sale.

**Sect. 17.** That the stock of said corporation shall be deemed and considered real estate; and any share or shares of any stockholder, may be transferred by deed duly acknowledged, and recorded by the clerk of said corporation, in a book to be kept for that purpose, which book or books shall at all reasonable times, during the usual hours of transacting business, be open to the examination of any person having in his possession any demand against said company; and the treasurer is hereby authorised to make transfers in like manner, of the shares of members sold, according to the provisions of the last preceding section of this act.

**Sect. 18.** That when the land, or other property or estate, belonging to any infant, feme covert, or person non compos mentis, shall be taken and appropriated for the use and purposes of said canal as aforesaid, the husband of such feme covert, and the guardian of such infant, or person non compos mentis, respectively, may execute any deeds, enter into any contracts, or do any other matter or thing respecting such lands or other estate, to be taken and appropriated as aforesaid, as they might do, if the same were by them holden in their own rights respectively.

**Sect. 19.** That for and in consideration of the expenses the said corporation will be at, in constructing said canal and other works connected therewith as aforesaid, and in improving and keeping the same in repair, the said canal and all other works aforesaid, together with all tolls, rents and profits arising therefrom, shall be, and the same are hereby vested in the said stockholders, their heirs and assigns forever, as tenants in common, in proportion to their respective shares; and the same shall be forever exempt and free from the payment of any tax, imposition or assessment whatsoever: *Provided*, That the state shall have the power, at any time after the expiration of fifty years from the time of the completion of said canal, to purchase and hold all that part thereof lying within the limits of this state, for the use of said state, by paying to the said corporation therefor, the amount expended by them in locating and constructing the same, together with fifteen per centum thereon.

**Sect. 20.** That the said corporation shall be entitled to the benefit of all laws which are, or shall be in force, for the collection of tolls, or for the protection of any canals constructed by this state, so far as such law or laws shall be necessary to ensure the collection of tolls, or for the protection of the canals and other property, which the said corporation may lawfully hold within the limits of this state, in order more fully to carry into effect the provisions of this act. And in any suit instituted against the said corporation, the service of legal process on the president, any one of the directors, or on the treasurer or secretary of said corporation, shall be deemed and held, in all courts and places, a sufficient and valid service on the said corporation.

**Sect. 21.** That when the said canal and other works, connected therewith, shall be completed, the president and directors of said company, shall make out a minute, full and detailed statement in writing, of the expenses incurred by the said corporation in locating and constructing all that part of the said canal, and other works, as aforesaid, lying within the limits of this state, which report shall be made under oath of the president and directors, and shall be by them filed in the secretary's office of this state; and they shall, in like manner, make out a statement of the expenses by them incurred, in locating and constructing that part of said canal, and other works aforesaid, lying within the limits of the state of Pennsylvania, and file the same in the office of the secretary of state of Pennsylvania. And if, after the completion of said canal, as aforesaid, any alterations shall be made in the course thereof; or in the course of any of its feeders or branches, or if any new reservoirs, branches or feeders, shall be made in aid of said canal, the said president and directors shall in like manner, from time to time, make out and file statements of the expenses incurred by such alterations, or additional works as aforesaid.

**Sect. 22.** That it shall and may be lawful for any corporation, or state, or for the government of the United States, to subscribe for any number of shares of stock in said company, upon the same terms as other subscribers are authorised to take and subscribe for the same.

**Sect. 23.** That this act shall be deemed a public act, and shall be benignly and favorably construed for the purposes therein expressed and delivered, in all courts and places whatsoever.

**Sect. 24.** That this act shall not be so construed, as to vest any banking powers, or any other powers in the said corporation, not necessary to promote the objects herein specified.

**Sect. 25.** That if the corporation hereby created, shall not, within ten years from the time of the taking effect of this act, construct, finish and put in operation the canal hereby contemplated; or if, after the completion thereof, they shall fail, for twelve months at any one time, to keep the same in repair, then or in either case, the said corporation shall thenceforth forever cease, and their charter be forfeited.

Sect. 26. That whenever the legislature of Pennsylvania shall pass a law, giving their assent to, and confirming the provisions of this act, with such alterations and modifications as shall be necessary and applicable to that part of said canal, and other works, as aforesaid, lying within the limits of the state of Pennsylvania, then shall this act take effect, and be in force.

**EDWARD KING,**

*Speaker of the House of Representatives.*

**A. SHEPHERD,**

*Speaker of the Senate.*

January 10, 1827.

**SECRETARY OF STATE'S OFFICE,**

*Columbus, Ohio, January 16, 1827.*

I certify the foregoing law to be a correct copy from the original roll remaining on file in this office.

**JER. M'LENE,**  
*Sec'y of State.*

Laid on the table.

Mr. Winter. from the committee on the subject, on leave given, reported bill No. 111, entitled

"An act to repeal part of an act, passed March fifteenth, one thousand eight hundred and twenty-six, authorising James Bell and Evan Thomas to build a bridge over Smithfield creek, in Northampton county."

Mr. Hambright, from the committee on the subject, on leave given, reported bill No. 112, entitled

"An act for the relief of the sureties of William Hamilton, deceased."

Said bills were read the first time.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the governor, for his approbation, the bills numbered and entitled as follow, viz.

No. 43, "An act to authorise the printing and distribution of an additional number of the pamphlet laws."

Laid on the table.

Bill No. 85, entitled

"An act concerning weights and measures,"

Was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.



Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 27, entitled

"A further supplement to the act, entitled "An act to establish a board of wardens, for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Knight and Mr. Duncan,

The Senate adjourned until 3 o'clock, P. M.

### ***SAME DAY--IN THE AFTERNOON.***

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Power in the chair, on bill No. 68, entitled

"A supplement to an act, entitled an act authorising the governor to incorporate the York Water Company," passed the eighth day of February, one thousand eight hundred and sixteen.

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Ogle and Mr. Logan,

Said bill was read the second time; and

On motion of Mr. Kelley and Mr. Ogle,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ray in the chair, on bill, No. 90, entitled

"An act for the protection of sureties in certain cases."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Hunt and Mr. Kerlin,

The Senate resolved itself into a committee of the whole, Mr. Petrikin in the chair, on bill No. 66, entitled

"A further supplement to the act entitled an act to re-charter certain banks."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Mann and Mr. Kerlin,

The Senate resolved itself into a committee of the whole, Mr. Schall in the chair, on resolution, No. 104, entitled

"Resolution for the further distribution of the pamphlet laws of this commonwealth."

After some time,

The committee rose, and the chairman reported the resolution without amendment.

On motion of Mr. Mann and Mr. Ogle,

Said resolution was read the second time; and

On motion of Mr. Kerlin and Mr. Mann,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said resolution was read the third and passed.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Knight and Mr. Logan,

The Senate resolved itself into a committee of the whole, Mr. Seltzer in the chair, on bill No. 75, entitled

"An act extending the charter of the Washington and Pittsburg turnpike road company."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ray and Mr. Seltzer,

The Senate resolved itself into a committee of the whole, Mr. Sullivan in the chair, on bill No. 80, entitled

"An act to incorporate the borough of Selinsgrove, in Union county."

After some time,

The committee rose, and the chairman reported the bill with amendments.



On motion of Mr. Dunlop and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Sutherland in the chair, on bill No. 82, entitled

“An act for the relief of Metal township, Franklin county.”

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Sutherland and Mr. Logan,

The amendments by the House of Representatives, to the amendments by the Senate, to bill No. 46, from the House of Representatives, entitled

“A supplement to the act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia, passed the third day of March, 1818,”

Were read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

Adjourned until 10 o'clock, to-morrow morning.

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## FRIDAY, February 2, 1827.

Mr. Sutherland and Mr. Herbert obtained leave of absence for a few days from to-morrow.

On motion of Mr. Power and Mr. Sullivan,

The communication of the Governor of the state of Ohio, on the subject of the Ohio and Pennsylvania Canal, was referred to the committee on roads, bridges and inland navigation.

The Secretary of the Commonwealth being introduced, presented a message from the governor, which was read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following act of the general assembly, and directed the Secretary of the Commonwealth to return the same to the Senate, in which it originated, viz.

No. 43, "An act to authorise the printing and distribution of an additional number of the pamphlet laws."

J. ANDW. SHULZE.

*Harrisburg, February 1, 1827.*

Laid on the table.

Mr. Mann, from the committee on claims, reported bill No. 113, entitled

"An act for the relief of David Wolf and Henry Hermonie."

Mr. Hawkins, from the committee on the judiciary system, reported bill No. 114, entitled

"A further supplement to the act entitled an act for holding special courts of common pleas."

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow:

No. 115, "An act granting to John Dickson, of the Borough of Erie, a certain lot of ground."

No. 116, "An act to improve a certain public road in Union and Centre counties, commonly called the Brush Valley Narrows, and to improve the road from Bedford to Armagh."

No. 117. "A supplement to the several acts of assembly, directing the mode of selling unseated lands for taxes."

No. 118, "A supplement to an act entitled an act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation."

Said bills were read the first time.

Bill No. 27, entitled

"A further supplement to the act entitled An act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Sutherland and Mr. Duncan,

To amend the same in the ninth line, by striking out the words "at the distance of six miles to the eastward," and inserting in lieu the word "outside."

Which was agreed to.

The section, as amended, was then agreed to.

The second section was considered and agreed to.

The third section being under consideration.

A motion was made by Mr. Sutherland and Mr. Duncan,

To amend the same, by striking out all that follows the enacting clause, and inserting, in lieu thereof, the following, viz.

"That if any dispute should arise relative to there not being a sufficient number of pilot boats cruising outside of the line designated in the preceding section of this act, or any dispute as to the place where such vessel or vessels shall have been spoken and offered to be supplied with a pilot, the same shall be submitted to the board of wardens of the port of Philadelphia, the master warden being hereby authorised, in all such cases, to administer oaths or affirmations, and summon and compel the attendance of witnesses. But if either of the parties interested therein shall be dissatisfied with the decision of the board, they are hereby authorised to make complaint to the mayor or any alderman in the city of Philadelphia, or any justice of the peace of the county of Philadelphia, in the manner prescribed, and subject to the provisions of the 32d section of the act to which this is a supplement."

Which was agreed to.

The section as amended was then agreed to.

The fourth section being under consideration.

On the question,

Will the Senate agree to the fourth section?

The yeas and nays were required by Mr. Sutherland and Mr. Duncan, and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan, Dunlop, Emlen, Garber, Hambright, Hamilton, Herbert, Hunt, Kerlin,	Messrs. Knight, Logan, Mann, Moore, Ogle, Ray, Schall, Sullivan, Mahon, speaker, 18.
NAYS.	NAYS.
Messrs. Allshouse, Hawkins, Hay, Leech, Power,	Messrs. Seltzer, Sturgeon, Sutherland, Winter, 9.

So it was determined in the affirmative.

The title being under consideration,

A motion was made by Mr. Sutherland and Mr. Ogle,

To postpone the same for the purpose of introducing the following, to be called section five:

"Sect. 5. And be it further enacted by the authority aforesaid, That hereafter, the master warden shall collect the half pilotage upon inward bound vessels and pay the same over, without fee or reward, to the treasurer of the society, for the relief of distressed and decayed pilots, their widows and orphans,"

Which was agreed to.

The manuscript section was then considered and agreed to.

The title being again under consideration,

A motion was made by Mr. Sutherland and Mr. Logan,

To postpone the same, for the purpose of introducing the following, to be called section six:

"Sect. 6. And be it further enacted by the authority aforesaid, That to encourage as much as may be, pilots to board vessels coming from sea to the port of Philadelphia; that the pilot belonging to any boat which shall have piloted any ship or vessel into the said port of Philadelphia, shall be entitled to a preference in piloting the said ship or vessel out of the said port, on the next outward voyage of such ship or vessel, if such pilot shall be duly qualified: *Provided*, That in case of non-attendance of the said pilot at such time and place as he shall be required by the master, owner or consignee of such ship or vessel, to employ such other pilot as they may think proper; and the said pilot shall, by such non-attendance, be deemed to have relinquished the preference provided for him as aforesaid: *And provided further*, That such pilot shall not be entitled to conduct or pilot such ship or vessel on the next outward voyage as aforesaid, if it shall be satisfactorily proved to the master warden, that such pilot is not properly qualified to conduct such ship or vessel as aforesaid."

Which was agreed to.

The manuscript section was then considered and agreed to.

On the question,

Will the Senate agree to the title?

It was determined in the affirmative.

On motion of Mr. Sutherland and Mr. Garber,

The rule which prohibits bills being read twice on the same day, was in this case dispensed with, and the said bill was read the third time and passed.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

Bill No. 66, entitled

"A further supplement to the act entitled an act to re-charter certain banks,"

Was read the second time,

The first and only section being under consideration,

A motion was made by Mr. Herbert and Mr. Logan,

To amend the same, by inserting after the word "Pittsburg," in the tenth line, the following, viz. "Bank of Gettysburg."

Which was agreed to.

A motion was then made by Mr. Emlen and Mr. Herbert,

Further to amend the section, by inserting, after the word "Gettysburg," in the tenth line, these words, "Schuylkill Bank, Farmers Bank of Reading."

Which was agreed to.

The section, as amended, was then agreed to.

The title was considered and agreed to, and

On motion of Mr. Emlen and Mr. Power,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with,

Said bill was read the third time and passed.

Ordered, That the Clerk present the bill to the House of Representatives for concurrence.

Bill No. 75, entitled

"An act extending the charter of the Washington and Pittsburg turnpike road company,"

Was read the second time.

The sections were severally considered and agreed to.

The title was considered and agreed to, after being amended so as to read "An act extending the time for completing the Washington and Pittsburg turnpike road, and relative to the state's subscription to the same."

Bill No. 80, entitled

"An act to incorporate the borough of Selin's Grove, in Union county,"

Was read the second time.

The first section was considered and agreed to.

The second section being under consideration,

A motion was made by Mr. Ray and Mr. Moore,

To amend the same, by inserting after the word "legislature," in the second line, the following, viz. "who have resided in the said borough six months previously to an election."

Which was agreed to.

The section, as amended, was then agreed to.

The remaining sections were severally considered and agreed to.

The title was considered and agreed to, after being amended, by adding thereto the following, viz. "and the town of Berlin, in the county of Somerset."

Bill No. 82, entitled

"An act for the relief of Metal township, Franklin county,"

Was read the second time.

The sections and title were severally considered and agreed to.

Ordered, That said bills be transcribed for the third reading.

Bill No. 90, entitled

"An act for the protection of sureties in certain cases,"

Was read the second time.

The sections and title were severally considered and agreed to.

On the question,

Shall this bill be transcribed for the third reading?

A motion was made by Mr. Dunlop and Mr. Kerlin,

That the question, together with the bill, be postponed until Monday, the 12th instant.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on bill No. 45, entitled

"An act to enable Jacob Lentz and Abraham Lentz, executors of Jacob Lentz, deceased, to sell certain real estate.

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the negative.

A motion was then made by Mr. Seltzer and Mr. Allshouse,

That said bill be re-committed to a committee.

Which was agreed to; and

Ordered, That Messrs. Seltzer, Hawkins and Dunlop, be the committee.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 95, from the House of Representatives, entitled

"An act to perpetuate testimony in certain cases, and for other purposes."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Saturday the tenth instant.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 99, entitled

"An act to incorporate the towns of Jefferson and Hamilton, in Greene county, into a borough."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ogle and Mr. Hawkins,  
Said bill was read the second time, and

On motion of Mr. Hawkins and Mr. Ogle,  
The rule which prohibits the reading of bills twice on the same day being this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Sturgeon and Mr. Garber,

The Senate resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 89, from the House of Representatives, entitled

"A further supplement to the act for laying out, making and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads."

After some time,

The committee rose, the chairman reported progress, and the committee of the whole obtained leave to sit again on Tuesday the 6th instant.

On motion of Mr. Knight and Mr. Hawkins,

The Senate resolved itself into a committee of the whole, Mr. Dunlop in the chair, on bill No. 61, from the House of Representatives, entitled

"A supplement to an act relative to state roads therein mentioned, passed 5th April, 1826.

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, to-morrow morning.

**SATURDAY, February 3, 1827.**

Mr. Hambright presented the petition and documents of Dr. Samuel Humes, praying for authority to sell and convey certain real estate.

Which were referred to Messrs. Hambright, Kelley and Hamilton.

Mr. Duncan presented the petition of sundry citizens of the townships of Oxford and Lower Dublin, in Philadelphia county, praying for certain alterations in the laws regulating tavern licences.

Said petition was laid on the table.

Mr. Dunlop, from the committee on the subject, on leave given, reported bill No. 119, entitled

“An act concerning unpatented lands.”

Said bill was read the first time.

Bills numbered and entitled as follow, were severally read the third time and passed:

No. 75, “An act extending the time for completing the Washington and Pittsburg turnpike road, and relative to the state’s subscription to to the same.”

No. 80, “An act to incorporate the borough of Selins Grove, in Union county, and the town of Berlin, in the county of Somerset.”

No. 82, “An act for the relief of Metal township, Franklin county.”

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

On motion of Mr. Kelley and Mr. Knight,

The resolution relative to rendering assistance to the American Colonization Society, in removing to Liberia, on the coast of Africa free people of color,

Was read the second time, considered and adopted.

Ordered, That Messrs. Kelley, Hay, Knight, Schall and Leech, be the committee for the purpose expressed in the resolution.

Bill No. 61, from the House of Representatives, entitled

“A supplement to an act relative to state roads therein mentioned, passed 5th April, 1826,”

Was read the second time.



The same being under consideration,  
A motion was made by Mr. Knight and Mr. Winter,  
'To postpone the consideration of the bill until Monday next.  
Which was agreed to.'

On motion of Mr. Mann and Mr. Ray,  
The Senate resolved itself into a committee of the whole, Mr.  
Garber in the chair on resolution No. 60, from the House of Repre-  
sentatives, entitled

"Resolution relative to the further distribution of Purdon's Di-  
gest."

After some time,

The committee rose, and the chairman reported the resolution  
without amendment.

On motion of Mr. Knight and Mr. Logan,  
Said resolution was read the second time, and

On motion of Mr. Ogle and Mr. Knight,  
The rule which prohibits bills being twice read on the same day  
was in this case dispensed with, and the resolution was read the  
third time.

On the question,  
Shall the resolution pass?

The yeas and nays were required by Mr. Allshouse and Mr.  
Kerlin, and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan, Garber, Hamilton, Hawkins, Hay, Knight, Leech, Logan, Mann,	Messrs. Moore, Ogle, Petrikin, Power, Ray, Schall, Seltzer, Mahon, speaker, 17.
NAYS.	NAYS.
Messrs. Allshouse, Dunlop, Emlen, Hambright,	Messrs. Hunt, Kerlin, Sturgeon, Sullivan, 8.

So it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the House of  
Representatives, with information that the senate have passed the  
same without amendment.

Adjourned until 10 o'clock, on Monday morning next.

**MONDAY, February 5, 1827.**

Mr. Duncan presented the memorial of sundry manufacturers and dealers in gunpowder, praying for the repeal of the law increasing the rates of storage on gunpowder, in the state magazine at Philadelphia.

Which was read and referred to Messrs. Duncan, Hay and Kelley.

Mr. Duncan presented the memorial of sundry citizens of the city of Philadelphia, praying for the passage of a law prohibiting contracts being made for irredeemable ground rents in said city.

Mr. Emlen presented the memorial of sundry merchants of the city of Philadelphia, praying for the incorporation of a company to build steam boats, for the purpose of towing, in their passages in the river Delaware, vessels bound either inward or outward.

Mr. Kelley presented a petition, praying for the incorporation of a company for constructing a canal and slack water navigation from the state line, on the Conewango creek, to intersect the Pennsylvania canal, at its most northern point on the river Allegheny.

Said memorials and petition were laid on the table.

Mr. Audenried presented the petition and documents of Elizabeth Heaton, of Berks county, a widow of a revolutionary soldier, praying for relief.

Mr. Hunt presented the petition and documents of Elizabeth Steapleton, of Chester county, a widow of a revolutionary soldier, praying for relief.

Said petitions and documents were referred to the committee on claims.

Mr. Hambright presented the petition of the president and managers of the Conestoga Navigation Company, praying for certain alterations in their act of incorporation.

Which was referred to Messrs. Hambright, Hamilton and Kerlin.

Mr. Winter presented the petition and documents of Maria Anthony and George Anthony, administrators of Peter Anthony, late of Northampton county, deceased, praying for authority to sell and convey certain real estate.

Which were referred to Messrs. Winter, Audenried and Power.

The Speaker laid before the Senate, a letter from William Rawle, jun. enclosing an extract from the minutes of the directors of the Philadelphia Library Company, which were read as follows, viz.

*Philadelphia, February 2, 1827.*

SIR—

In obedience to the instructions of the directors of the library company of Philadelphia, I transmit to you the enclosed copy of a resolution of the board.

I have the honor to be,

With great respect,

Your obedient serv't.

WM. RAWLE, jr.

Secretary.

*To the Speaker of the Senate.*

At a meeting of the directors of the Library Company of Philadelphia, February 1, 1827.

Whereas the legislature and executive of the state had, when the seat of government was in this city, the free use of the library,

Resolved, That in the event of the return of the seat of government to Philadelphia, the same privileges will be cheerfully afforded, and that the secretary be instructed to transmit a copy of this resolution to the governor, to the Speaker of the Senate, and to the Speaker of the House of Representatives.

Extract from the minutes,

WM. RAWLE, JR.

Secretary.

Laid on the table.

The Speaker laid before the Senate, an abstract of the accounts of the Cheltenham and Willow Grove Turnpike Company, which was read as follows, viz.

*Abstract of the accounts of the Cheltenham and Willow Grove turnpike company, for the year 1826.*

Amount of capital expended in making the road,	\$ 80,800 00
By amount of tolls received during the year,	\$6,005 18

To amount expended in repairs, salaries, &c.	2,346 34
--	----------

By amount of profits for the year,	\$3,658 84
------------------------------------	------------

Equal to an income of four dollars and fifty-two cents per cent. per annum.

ROBERT WHARTON,

*Prest. Cheltenham and Willow Grove Turnpike Co.*

*To the Honorable the Legislature  
of the Commonwealth of Pennsylvania.*

Laid on the table.

Mr. Mann, from the committee on claims, reported bill No. 120, entitled

"An act for the relief of Mary Lemminton and Margaret Blattenberger, widows of revolutionary soldiers."

Mr. Audenried read in his place, and on leave given, presented to the chair, bill No. 121, entitled

"An act to provide a fund in support of a general system of education, in Pennsylvania."

Said bills were read the first time.

The secretary of the commonwealth being introduced, presented a message, accompanied with a document, from the governor, which were read as follows, viz.

*To the Senate and House of Representatives, of the commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to you a copy of the report of the president of the board of commissioners, for the erection of a state penitentiary, on the public land adjoining the town of Allegheny, opposite the city of Pittsburg.

J. ANDW. SHULZE.

*Harrisburg, February 3, 1827.*

*To his Excellency J. Andw. Shulze,  
Governor of the Commonwealth of Pennsylvania.*

The commissioners for the erection of a state penitentiary on the public land, adjoining the town of Allegheny, opposite Pittsburg, respectfully report:

That subsequently to the date of the last annual report which they had the honor of transmitting, the board have expended the sum of fifteen thousand three hundred and twenty-five dollars and eighty-seven and one half cents, which, added to the previous expenditure, makes the present cost of the building amount to one hundred and seventy thousand eight hundred and fifty-one dollars, thirty-four and one half-cents, and leaves an unexpended balance of eight thousand and sixty-nine dollars, sixty-five and one-half cents; a sum which the board still confidently expect will be sufficient for the completion of this noble edifice.

It will be perceived that in the above statement, the commissioners have not included the appropriation of five thousand dollars made at the last session of the general assembly, for the purpose of furnishing the building, procuring locks, stoves and grates for the cells, and fencing the ground. Of this last mentioned sum, two thousand two hundred and eleven dollars, ninety and one-half cents, have been expended in the manner contemplated by the legislature.

The committee appointed at the request of the board, contained in their communication of the sixth of January last, having been informed that the board would be ready on the first of July to de-

liver over to the inspectors, a portion of the building and cells, well finished and amply sufficient for the accommodation of all the officers of the institution and their assistants, and the safe custody of all prisoners that might arrive before the whole works should be completed, assembled at Pittsburg on that day, to commence their inspection of the building, and examination of the accounts. Their report has been made, to which this board respectfully beg leave to refer, and to state, in addition, that on the appointed day, they delivered over to the inspectors a sufficient portion of the building and cells, to answer fully the above mentioned purposes, of which your excellency has been advised by the communication of the commissioners, dated July 10, 1826.

Since that time, the work has steadily advanced, and during the whole season, has progressed with unexampled rapidity. The main building, with the exception of the cupola and front door, is finished, as are also the kitchen, women's ward, and most of the cells. Little remains for the ensuing season but the fences; so that, although the commissioners have it not in their power to say that the building is yet fully completed, it so nearly approaches that state, as to be capable of being applied to its intended uses, without interference with the workmen in their final labors.

With high respect,

I have the honor to be,

Sir, your most ob't serv't.

JAMES ROSS,

*Prest. of the board.*

MAGNUS M. MURRAY, *Clerk.*

*Pittsburg, January 16, 1827.*

Laid on the table.

A motion was made by Mr. Dunlop and Mr. Ogle, and read as follows, viz.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the rules established, or hereafter to be established, by the joint library committee shall not take effect, unless submitted to, and adopted by both branches of the legislature.

Said resolution was read the first time.

On motion of Mr. Duncan and Mr. Knight,

The rule which prohibits bills being twice read on the same day, was in this case dispensed with, and the resolution was read the second time.

On the question,

Will the Senate adopt the resolution?

A motion was made by Mr. Hawkins and Mr. Kelley,

To postpone the question, for the purpose of amending the resolution, by striking therefrom all that follows the enacting clause, and inserting in lieu the following, viz.

“That the library committee be instructed to inquire into the ex-

pediency of altering the ninth rule of the joint library committee, adopted at the present session, so far as it limits the use of books to strangers, as that all persons may be introduced into the library room by a member of either branch of the legislature."

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Mann and Mr. Kerlin,

To postpone the question, together with the resolution, indefinitely.

Which was not agreed to.

A motion was then made by Mr. Audenried and Mr. Schall,

To postpone the question, together with the resolution, for the present,

Which was agreed to.

The Senate resumed the second reading and consideration of bill No. 61, from the House of Representatives, entitled

"A supplement to an act relative to state roads therein mentioned," passed 5th April, 1826.

The same being again under consideration.

The sections and title were severally considered and agreed to.

Ordered, That said bill be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hambright in the chair, on bill No. 97, entitled

"An act supplementary to an act for building a bridge over the river Schuylkill, opposite Norristown, in the county of Montgomery."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill, No. 105, entitled

"An act to annul the marriage contract of Sebastian Bouslaugh and Esther his wife."

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Dunlop and Mr. Power,

To postpone the question, together with the bill, for the present.

Which was agreed to.

Adjourned until 10 o'clock, to-morrow morning.

**TUESDAY, February 6, 1827.**

Mr. Logan presented the petition of sundry citizens of the borough of York, praying for an alteration in the act incorporating said borough.

Which was referred to Messrs. Logan, Seltzer, and Emlen.

Mr. Power presented the petition of sundry citizens of the counties of Allegheny and Beaver, praying for a review of the state road from the Beaver to the Allegheny bridge, and that the proceeds of the unappropriated sales of the lots in the town of Beaver, belonging to the commonwealth, may be applied to repairing and improving the said roads.

Which was referred to Messrs. Power, Sullivan and Kelley.

Mr. Winter presented the petition and documents of Rosina Jacoby, of Northampton county, praying for authority to sell and convey certain real estate.

Which were referred to Messrs. Winter, Logan and Kerlin.

Mr. Mann, from the committee to whom was committed bill No. 35, from the House of Representatives, entitled

"A further supplement to an act regulating Hawkers and Pedlers,"

Reported bill No. 122, with a similar title.

Mr. Duncan, from the committee on the subject, on leave given, reported bill No. 123, entitled

"An act prescribing the fees of the superintendent of the powder magazine, in the county of Philadelphia."

Mr. Hambright, from the committee on the subject, on leave given, reported bill No. 124, entitled

"A supplement to an act entitled an act authorising the governor to incorporate the Conestoga Navigation Company."

Mr. Hamilton, from the committee on the subject, on leave given, reported bill No. 125, entitled

"An act to authorise Samuel Hopkins, of Lancaster county, to erect a toll bridge over the Swatara, from State street, in the town of Portsmouth, in the county of Dauphin."

Said bills were read the first time.

Bill No. 61, from the House of Representatives, entitled

"A supplement to an act relative to state roads therein mentioned, passed 5th April, 1826,"

Was read the third time and passed.

pediency of altering the ninth rule of the joint library committee, adopted at the present session, so far as it limits the use of books to strangers, as that all persons may be introduced into the library room by a member of either branch of the legislature."

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Mann and Mr. Kerlin,

To postpone the question, together with the resolution, indefinitely.

Which was not agreed to.

A motion was then made by Mr. Audenried and Mr. Schall,

To postpone the question, together with the resolution, for the present,

Which was agreed to.

The Senate resumed the second reading and consideration of bill No. 61, from the House of Representatives, entitled

"A supplement to an act relative to state roads therein mentioned," passed 5th April, 1826.

The same being again under consideration.

The sections and title were severally considered and agreed to.

Ordered, That said bill be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hambright in the chair, on bill No. 97, entitled

"An act supplementary to an act for building a bridge over the river Schuylkill, opposite Norristown, in the county of Montgomery."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill, No. 105, entitled

"An act to annul the marriage contract of Sebastian Bouslaugh and Esther his wife."

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Dunlop and Mr. Power,

To postpone the question, together with the bill, for the present.

Which was agreed to.

Adjourned until 10 o'clock, to-morrow morning.



NAYS.

NAYS.

Messrs. Allshouse,  
Hunt,

Messrs. Sturgeon,

8.

So it was determined in the affirmative.

The remaining sections, together with the title, were severally considered and agreed to.

Ordered, That said bill be transcribed for the third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Duncan in the chair, on bill No. 89, from the House of Representatives, entitled

“A further supplement to the act for laying out and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads.”

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Sturgeon and Mr. Duncan,  
To postpone the question, together with the bill, for the present.  
Which was agreed to.

On motion of Mr. Duncan and Mr. Ogle,

The Senate resolved itself into a committee of the whole; Mr. Hamilton in the chair, on bill No. 83, entitled

“An act to authorise the trustees of Nancy Wharton, to sell and convey certain property.”

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Duncan and Mr. Ogle,

Said bill was read the second time, and

Ordered to be transcribed for the third reading.

On motion of Mr. Petrikin and Mr. Duncan,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 103, entitled

“An act authorising the payment of costs, at the suit of the commonwealth against the Harrisburg Fire Insurance and Water Company.”

After some time,

The committee rose, and the chairman reported the bill negatived.

Ordered, That the Clerk return the bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled

No. 126, "An act granting a sum of money for improving the navigation of Tuscarora creek, in Mifflin county."

No. 127, "An act establishing an academy, in the town of Clearfield."

No. 128, "An act to exempt from taxation the property of the Pennsylvania institution for the deaf and dumb."

No. 129. "A supplement to an act entitled, A supplement to an act entitled, An act to authorise the governor of this commonwealth to incorporate a company for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia, passed the 29th day of March, 1824."

No. 130, "An act declaring certain creeks within this commonwealth, public highways."

No. 131, "An act to annul the marriage contracts, of Nicholas Black and Fanny his wife, William Fleming and Rebecca his wife, and John C. Hale (otherwise John Hill) and Matilda his wife."

No. 132, "Resolution relative to repairing the Telescope."

Said bills and resolution were read the first time.

Bill No. 97, entitled

"An act supplementary to an act for building a bridge over the river Schuylkill, opposite Norristown, in the county of Montgomery,"

Was read the second time.

The first section was considered and agreed to.

The second section being under consideration.

On the question,

Will the Senate agree to this section?

The yeas and nays were required by Mr. Allshouse and Mr. Power, and are as follow, viz.

YEAS.

Messrs. Audenrièd,  
Duncan,  
Emlen,  
Garber,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Kelley,  
Kerlin,  
Knight,  
Leech,

YEAS.

Messrs. Logan,  
Mann,  
Moore,  
Ogle,  
Petrikin,  
Power,  
Ray,  
Schall,  
Seltzer,  
Sullivan,  
Winter,  
Mahon, speaker,

NAYS.

NAYS.

Messrs. Allshouse,  
Hunt,

Messrs. Sturgeon,

8.

So it was determined in the affirmative.

The remaining sections, together with the title, were severally considered and agreed to.

Ordered, That said bill be transcribed for the third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Duncan in the chair, on bill No. 89, from the House of Representatives, entitled

"A further supplement to the act for laying out and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads."

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Sturgeon and Mr. Duncan,

To postpone the question, together with the bill, for the present.

Which was agreed to.

On motion of Mr. Duncan and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Hamilton in the chair, on bill No. 88, entitled

"An act to authorise the trustees of Nancy Wharton, to sell and convey certain property."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Duncan and Mr. Ogle,

Said bill was read the second time, and

Ordered to be transcribed for the third reading.

On motion of Mr. Petrikin and Mr. Duncan,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 103, entitled

"An act authorising the payment of costs, at the suit of the commonwealth against the Harrisburg Fire Insurance and Water Company."

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

It was determined in the affirmative.

On motion of Mr. Leech and Mr. Logan,

The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on bill No. 107, entitled

"An act to enable the governor to incorporate a company, for making an artificial road, from the borough of Mercer, in the county of Mercer, through Greenville, to the line of the state of Ohio, at William Mossman's, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 10 o'clock, to-morrow morning.

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## WEDNESDAY, February 7, 1827.

Mr. Audenried obtained leave of absence for Mr. Schall, for a few days from to-morrow.

Mr. Kitchin presented the petition of the trustees of the Doylestown academy, praying for an act of incorporation.

Which was referred to the committee on education.

Mr. Hay presented the petition of the directors of the public schools in the fifth, sixth, seventh and eighth sections of the first school district of the state, praying to be authorised to elect separate controllers, to compose a distinct body, with the like powers with the controllers of the four first sections of said first district.

Which was referred to Messrs. Hay, Emlen and Allshouse.

Mr. Hawkins presented a memorial from sundry citizens of Greene county, relative to the abolition of slavery.

Which was referred to Messrs. Hawkins, Kelley and Hunt.

Mr. Hay presented the petition of the German Society in the city of Philadelphia, praying that certain real estate, belonging to said society, may be exempted from taxation.

Which was referred to Messrs. Hay, Duncan and Mann.

Mr. Mann, from the committee on claims, to whom was referred the petition and documents of Dorothy Shaffer, widow of Christian Shaffer, reported:

That the petitioner states that her late husband served a considerable time in the revolutionary war; that he was in the battles of Princeton and Trenton, and served some time under colonel Bayard Smith, as sergeant major, and also acted as adjutant at the battle of Brandywine, in the militia; and that she is old and poor, and unable to support herself by labor, and prays the legislature to grant her relief. Your committee, after a careful examination of the papers referred to them, are of the opinion that the prayer of the petitioner ought not to be granted; inasmuch as no proof appears that her late husband performed the services as stated, nor that she was his wife during the revolution; and further, that if all the service was fully proved as stated, it is not of that kind that would entitle him to a pension was he now living; hence the widow is not entitled. They therefore offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Ray,

The resolution attached to the above report, was read the second time, considered and adopted.

Mr. Hambright, from the committee on the subject, on leave given, reported bill No. 183, entitled

"An act to authorise Samuel Humes, jr. guardian of Fidelia R. Van Dyke, to sell and convey certain real estate."

Mr. Logan, from the committee on the subject, on leave given, reported bill No. 134, entitled

"An act to amend the charter of the borough of York."

Mr. Leech read in his place, and on leave given, presented to the chair, bill No. 135, entitled

"An act granting aid to Allegheny college."

Said bills were read the first time.

Bill No. 83, entitled

"An act to authorise the trustees of Nancy Wharton to sell and convey certain property,"

Was read the third time and passed.

**Bill No. 97, entitled**

"An act supplementary to an act for building a bridge over the river Schuylkill, opposite Norristown, in the county of Montgomery,"

Was read the third time.

On the question.

Shall this bill pass?

The yeas and nays were required by Mr. Allshouse and Mr. Power, and are as follow, viz.

**YEAS.**

Messrs. Audenried,  
Duncan,  
Emlen,  
Garber,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Kelley,  
Kerlin,  
Knight,

**YEAS.**

Messrs. Leech,  
Logan,  
Mann,  
Moore,  
Ogle,  
Petrikin,  
Power,  
Ray,  
Sullivan,  
Mahon, speaker. 21.

**NAYS.**

Messrs. Allshouse,  
Dunlop,  
Hunt,

**NAYS.**

Messrs. Kitchen,  
Seltzer,  
Sturgeon, 6.

So it was determined in the affirmative.

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

On motion of Mr. Knight and Mr. Logan,

The resolution attached to the report of the committee on roads, bridges and inland navigation, on the petition of the Washington and Pittsburg turnpike road company,

Was read the second time, considered and adopted.

**Bill No. 107, entitled**

"An act to enable the governor to incorporate a company, for making an artificial road from the borough of Mercer, in the county of Mercer, through Greensville, to the line of the state of Ohio, in a direction to the town of Kinsman, in the county of Arumbul, in the state of Ohio,"

Was read the second time, and

Ordered to be transcribed for the third reading.

On motion of Mr. Ray and Mr. Petrikin,

The Senate re-considered the vote adopting the report of the chairman of the committee of the whole, negating the bill No. 106, entitled

"An act authorising the payment of costs, at the suit of the commonwealth against the Harrisburg Fire Insurance and Water Company."

The bill being under consideration,

A motion was made by Mr. Duncan and Mr. Sturgeon,

To postpone the same for the present.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Emlen in the chair, on bill No. 116, from the House of Representatives, entitled

"An act to improve a certain public road in Union and Centre counties, commonly called the Brush Valley Narrows, and to improve the road from Bedford to Armagh."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ogle and Mr. Moore,

Said bill was read the second time.

The sections were severally considered and agreed to.

The title was considered and agreed to, after being amended, by adding thereto the following: "and the road leading from Shellsburg to George Lamberts."

Ordered, That said bill be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hunt in the chair, on bill No. 118, from the House of Representatives, entitled

"A supplement to the act entitled an act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Mann and Mr. Kerlin,

The Senate resolved itself into a committee of the whole, Mr. Kelley in the chair, on bill No. 120, entitled

"An act for the relief of Mary Lemmonton and Margaret Blattenberger, widows of revolutionary soldiers."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ogle and Mr. Mann,

Said bill was read the second time, and

Ordered to be transcribed for the third reading.

On motion of Mr. Ogle and Mr. Knight,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on resolution No. 132, from the House of Representatives, entitled

"Resolution relative to repairing the telescope."

After some time,

The committee rose, and the chairman reported the resolution without amendment.

On motion of Mr. Ogle and Mr. Allshouse,

Said resolution was read the second time.

On the question,

Will the Senate adopt the resolution?

It was determined in the negative.

Adjourned until 10 o'clock, to-morrow morning.



**THURSDAY, February 8, 1827.**

Mr. Mann presented two memorials, of similar tenor, praying for the repeal of the act relating to collateral inheritances, and remonstrating against the construction of the Pennsylvania Canal.

A motion was made by Mr. Mann and Mr. Kerlin,

To refer said memorials, together with those of a similar tenor, heretofore presented, to a special committee.

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Knight and Mr. Garber,

To postpone the question until the first Monday of March.

Which was not agreed to.

The question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Emilen, and are as follow, viz.

**YEAS.**

Messrs. Emilen,  
Hamilton,  
Herbert,  
Hunt,  
Kerlin,  
Kitchin,  
Logan,

**NAYS.**

Messrs. Allshouse,  
Duncan,  
Dunlop,  
Garber,  
Hawkins,  
Hay,  
Kelley,

**YEAS.**

Messrs. Mann,  
Moore,  
Ogle,  
Seltzer,  
Sturgeon,  
Winter, 13.

**NAYS.**

Messrs. Knight,  
Leech,  
Petrikin,  
Power,  
Sullivan,  
Mahon, speaker. 13.

So it was determined in the negative.

Mr. Kerlin presented the petition of sundry citizens of Delaware county, praying for the repeal of the act relating to collateral inheritances.

Mr. Garber presented three remonstrances, of similar tenor, from sundry citizens of Mifflin county, against the division of said county.

Said petition and remonstrances were laid on the table.

Mr. Logan presented the petition and documents of Charles Whitman, of York county, a revolutionary soldier, praying for relief.

Which were referred to the committee on claims.

Mr. Ray presented the petition of sundry citizens of Mifflinburg, in Union county, praying that said town may be erected into a borough.

Which was referred to Messrs. Ray, Moore and Petrikin.

On motion of Mr. Herbert and Mr. Winter,

The petition praying for the repeal of the law establishing circuit courts, so far as relates to Adams county, was referred to the committee on the judiciary system.

Mr. Garber read in his place, and on leave given, presented to the chair, bill No. 136, entitled

**"An act relating to turnpike roads"**

Mr. Kitchin, from the committee on education, reported bill No. 137, entitled

**"An act to incorporate the Union academy, at Doylestown."**

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow:

**"An act to authorise the laying out of a state road, from Kutztown, in Berks county, to Mauch Chunk, in Northampton county."**

**"An act for the relief of George Huffman, a revolutionary soldier."**

Said bills were read the first time.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 107, **"An act to enable the Governor to incorporate a company, for making an artificial road, from the borough of Mercer, in the county of Mercer, through Greenville, to the line of the state of Ohio, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio."**

No. 120, "An act for the relief of Mary Lemmonten, and Margaret Blattenberger, widows of revolutionary soldiers."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

Bill No. 116, from the House of Representatives, entitled

"An act to improve a certain public road in Union and Centre counties, commonly called the Brush Valley Narrows, and to improve the road from Bedford to Armagh,"

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

The secretary of the commonwealth being introduced, presented two messages, accompanied with documents, from the governor, which were read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to the senate, a copy of the additional report of the board of Canal Commissioners, presented to me last evening, with copies of the documents numbered one to five, inclusive, in the list hereto annexed. Copies of the remaining documents will be transmitted as soon as they can be prepared. I also inform the senate, that I had delivered to the house of representatives, for the use of both branches of the legislature, the several drafts and maps that accompanied the report of the commissioners.

J. ANDW. SHULZE.

*Harrisburg, February 7, 1827.*

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have now the honor of transmitting to you, copies of the remaining documents presented with the report of the canal commissioners.

J. ANDW. SHULZE.

*Harrisburg, February 8, 1827.*

*List of Documents annexed to the Report of the Canal Commissioners, February 6, 1827.*

- No. 1. A report on the Susquehanna and Potomac route, by John Mitchell, Esq.
2. A report on the French Creek feeder, by Major D. B. Douglass.
3. A report on the survey along the Allegheny, from the mouth of Kiskeminetas to the mouth of French Creek, by James Geddes, Esq.
4. A report on a survey of the North Branch of Susquehanna, by John Bennet, Esq.
5. Remarks on the North Branch survey, by Judge Scott, a member of the board.
6. A report on the survey of the Northern Route, between the eastern and western waters, by James Geddes, Esq.
7. Reports on the survey of the Juniata route, by Canvass White and George T. Olmstead, Esqs.
8. Extract from the minutes of the board, in relation to the survey of the northern route.
9. Report on the upper level of the eastern division of the Pennsylvania Canal, by Wm. Strickland, James Geddes, N. S. Roberts and Canvass White, engineers, in the service of the board.
10. Resolution of the board of Canal Commissioners, to extend the eastern division of the Pennsylvania canal, to a point at the upper reef of Foster's falls, near Clark's ferry, and raise the level thereof, approved by the engineer and consented to by the governor.
11. Report of the committee appointed to superintend the subject of releases on the proposed lines of communication, between the eastern and western waters.

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**OFFICE OF THE CANAL COMMISSIONERS,**

*Harrisburg, Febr. 6th, 1827.*

SIR—I have now the honor to present to your Excellency, a further report of the canal commissioners of Pennsylvania; made in obedience to the eighth section of the act of 11th April, 1825.

Very respectfully,

your obedient servant,

WM. DARLINGTON,

*President of the board of canal  
commissioners of Pennsylvania.*

*His Excellency, J. Andrew Shulze,  
Governor of Pennsylvania.*

## SECOND REPORT

OF THE

## CANAL COMMISSIONERS.

*The Canal Commissioners of Pennsylvania, in addition to their report of 12th December last, respectfully submit the following documents.*

1. A report, on the survey and examination of canal routes, through Cumberland and Franklin counties, and by the Conococheague and Conewago, and Monocosey and Conewago, with a view to connect the Susquehanna and Potomac rivers, by John Mitchell, Esq. accompanied with a draft and profile,

2. A report, on the survey and location of a feeder, from French creek to the summit level at Conneaut lake, accompanied by drafts and estimates, by Major D. B. Douglass.

3. A report, on the survey and location of a canal line, along the Allegheny, from the mouth of the Kiskeminetas, to the mouth of French creek, with drafts and estimates, by James Geddes, Esq.

4. A report, on the examination of a canal route, from Northumberland, along the North Branch of the Susquehanna, to the New-York line, with drafts and profiles, by John Bennet, Esq.

5. Remarks upon the survey last mentioned, and upon the advantages to be expected, from the execution of that work, by Judge Scott, a member of the board, to whom the superintendence of the survey was confided.

6. A report, on the survey and location of a canal, to connect the eastern and western waters, by the Northern or Sinnemahoning route, with drafts and estimates, by James Geddes, Esq.

7. Reports, on the survey and location of a canal and portage, to connect the eastern and western waters, by the Juniata route, together with drafts and estimates thereof, by Canvass White and George T. Olmstead, Esq.

These documents are so full and satisfactory, upon the subjects of which they treat, that nothing remains for the board, but to notice briefly the results of each, and then make upon the whole together, a few obvious remarks.

## 1. THE POTOMAC AND SUSQUEHANNA SURVEY.

Mr. Mitchell was instructed, to examine all the proposed routes between the Susquehanna and Potomac, contemplated by the act of 11th April, 1823; to ascertain with precision, the prominent features of the country, the elevation of the respective summits, and how far, they afford an adequate supply of water. He commenced his line of levels on the Susquehanna, at the mouth of Conodoguinet creek, and continued it up the latter stream, to Green Village, in Franklin county, which he found to be the most favourable summit between the Conodoguinet and Conococheague. From his measurement, it appears, that a supply of water, estimated at forty three cubic feet per second, may be brought to this point, by short and convenient feeders, a quantity believed to be sufficient for the supply of a summit of moderate length. The length of this line, from the mouth of the Conodoguinet, to the summit at Green Village, is about 75 miles, with an ascent of 365 feet. From Green Village, Mr. Mitchell proceeded along the turnpike, toward Gettysburg, to the summit of South Mountain, which he found to be 823 feet above the Susquehanna, at the mouth of the Conodoguinet.—Having satisfied himself, that this mountain intervenes, between the waters of the Conococheague, and Conewago, and consequently, that a navigable communication between them, is impracticable, he proceeded to the summit, between the Monocosey and Conewago, near the town of Gettysburg. This summit was ascertained to be 250 feet above the mouth of the Conodoguinet, and 115 feet lower, than the summit at Green Village. In order, however, to ascertain the comparative lockage, which the two routes would require, the fall of the Susquehanna, from the mouth of the Conodoguinet, to that of the Conewago, must be added to the height of the Gettysburg summit, which would make them nearly equal in this respect. The measurements of the water near Gettysburg, show an aggregate of only 23 cubic feet per second, a quantity insufficient, for the supply of an active navigation. The Conococheague and Conodoguinet route, is therefore the only one, by which a communication can be expected, between the Potomac and the Susquehanna.

## 2. THE FRENCH CREEK FEEDER.

Major Douglass' report on this subject, will fully realize public expectation, as to the capacity of French creek, to supply with water, any future communication between the Allegheny and Lake Erie. In the driest season, a considerable surplus will remain, after the most liberal allowance for the wants of the summit. No formidable obstacle to the construction of a feeder, is presented. The estimated cost, from the point at which the water of French creek may be taken, to the foot of Conneaut Lake, a distance of 21½ miles, is \$231,820, or about \$10,800 per mile. This estimate includes a large aqueduct over French creek, and

some items of extra expenditure, at the two ends of the feeder, and supposes the whole work to be executed, in the most durable manner. Exclusive of such items, the cost of the feeder will not exceed \$ 8,500 per mile. It has been planned with a view to navigation, and will correspond in dimensions with the Pennsylvania canal, as already begun. A moderate calculation of the trade, which must pass on this canal, from the fertile valley of French creek, will shew, that besides furnishing a supply of water, to the great line between the Ohio and lake Erie, it must, at no very distant period, become a source of profit to the commonwealth.

### 3. THE ALLEGHENY RIVER.

The expense of a canal along the Allegheny river, from the mouth of the Kiskeminetas to the mouth of French creek, will be \$1,754,000 for a distance of 88 miles, or about \$20,000 per mile, including 235 feet of lockage. The valley of this stream, presents greater difficulties in the construction of a canal, than any section of country yet examined, under the orders of the board. It is believed, that the remaining distance, from the mouth of French creek to lake Erie, aff rds such facilities as will greatly diminish the average expense of the whole communication : yet it is not deemed advisable, to encounter the obstacles on the Allegheny river, until the relative expense of the other route, "*from Pittsburg to lake Erie*" designated by law, has been distinctly ascertained.

### 4. NORTH BRANCH SURVEY

The board have not the advantage of a professional opinion upon the expense of a canal, from Northumberland to the New-York line: Yet the great industry and care with which Mr. Bennet has executed the duty assigned him, and the very minute description he has furnished of the ground, enable the board, by comparison with similar portions of other lines, which have been estimated by their engineers, to form an idea of its cost, with a near approach to certainty. The whole distance surveyed by him, is 161 miles, requiring 377 feet of lockage. The board are convinced, that 8,000 dollars per mile is a liberal allowance for the completion of this work, and that the whole may probably be accomplished, at an average considerably smaller. Taking the largest sum, for the sake of safety, the aggregate of its estimated cost, is \$ 1,288,000. By the act of 11th April, 1825, the board is directed to examine the route of a canal, from Philadelphia, northward, to the northern boundary of the state, towards the Cayuga and Seneca Lakes. They are now of opinion, that the objects of the legislature, in directing this inquiry, will be best effected, by a canal along the North Branch, having the same communication with Philadelphia, as the other improvements, projected on the Susquehanna. They have ascertained, that the state of New-York, is about executing a canal, from Seneca lake to Newtown, on the Tioga, which is only sixteen miles from the Pennsylvania line. When, therefore, this

short distance shall be added, there will be a complete communication, between the Erie canal, at Seneca lake, and the mouth of Swatara, in a distance of 254 miles. The ascending lockage from the Seneca lake to the Seneca summit, is 443 feet; and from that point, to the mouth of Swatara, there is a descent of 552 feet; making the whole lockage 995 feet—of which 890 feet is within the state of Pennsylvania. The board have reason to believe, that a large amount of trade may be brought into the state, by this communication, which otherwise must find its outlet, by the Erie canal; and that a profitable market for the coal of Luzerne and the neighboring counties, would thus be created within the state of New-York.

##### 5. NORTHERN ROUTE FROM THE SUSQUEHANNA TO THE OHIO.

James Geddes, Esquire, was employed by the board, early in the month of April last, and was instructed, to locate the line of a canal, along the whole of what is called the northern route, from the mouth of the Juniata, to that of the Kiskeminetas. He performed this duty, from the former point to the confluence of West creek with the Driftwood branch of the Sinnemahoning, and then proceeded to examine the summit, between the waters of West creek, and those of Clarion river. From these examinations, he became convinced, that the supply of water could not be sufficient for a navigable communication, and believing, that to continue the actual location of a canal line, in that uninhabited region, would cause useless expense, he returned to Philadelphia for further instructions. In addition to the ascertained scarcity of water on the summit, he stated the well known fact, that the country on the head of West creek, and for many miles down the Clarion river, is entirely a wilderness, without roads or inhabitants, abounding with thickets, of laurel, almost impenetrable, and where in a low stage of water, necessaries for the support of life, can scarcely be obtained, at a heavy rate of transportation. Mr. Sergeant, then president of the board, and Dr. Patterson, to whom these communications were made, did not hesitate to direct, that the further prosecution of the work on the summit, and down the Clarion, should be postponed to a more favorable season, and that in the mean time, Mr. Geddes should examine the valley of the Allegheny, from the mouth of Kiskeminetas, to French creek—that being important as a part of the northern route—and also with reference to a connexion between the Ohio and Lake Erie.

At a meeting of the board, in September, the provisional orders of the president were confirmed, and Mr. Geddes directed to carry a line of levels upon the Clarion river, as soon as his operations on the Allegheny, should be completed. The season, however, became so far advanced, that the Allegheny survey only could be finished, without inadmissible delay, in the preparation of his report. An extract from the minutes of the board, shewing more particularly their proceedings in relation to this subject, is hereto annexed.



The measurements of water on the West creek summit, made by Mr. Geddes, show a quantity, considerably less than those of last year. The whole supply is estimated by him, at 1,168,432 cubic feet in 24 hours, or less than 14 feet per second; and so unfavorable is the country, for the construction of feeders, that this quantity, extended over 40 miles of canal and feeder, would not be sufficient, for soakage and evaporation.

Mr. Geddes divides the line actually located by him, into two parts. The first or lower division, from the mouth of the Juniata, to the mouth of the Bald Eagle, a distance of 107 miles, is estimated at \$1,294,000, or about \$12,000 per mile, having 255 feet of lockage. By the adoption of slackwater navigation, in two or three places, where the river passes through narrows, a saving of 253,000 dollars, may be effected, reducing the expense of the division, to \$1,005,019 or \$9,481 per mile. The second or upper division, from the mouth of Bald Eagle to West creek, 74 miles, is estimated at \$1,876,772, or \$17,690 per mile. It has 498 feet of lockage, and will be attended with considerable difficulty. From the mouth of West creek, a portage must be resorted to, for a communication with Clarion river. The line of such a portage has not been located, for reasons already stated. Its length, however, cannot be less than 25 miles. From the termination of the portage, on Clarion river, to its mouth, is at least 80 miles, by the course of the stream, which a canal line can never depart from. Although no actual location, for this distance has been made, yet its character is sufficiently known, for the purpose of a general estimate. Mr. Geddes is of opinion, that it will equal in cost the line on the Allegheny, or \$20,000 per mile. It will certainly be safe, to fix it for the present, at \$16,000 per mile, in all \$1,280,000. The remaining distance, from the mouth of Clarion river, to that of the Kiskeminetas, is estimated by Mr. Geddes, in his report on the Allegheny, at \$981,000 for 51 miles.

### JUNIATA ROUTE.

The report of Mr. White shews, that a canal may be made from the mouth of the Juniata, to Frankstown, at a reasonable expense, and that the general character of the line, is highly favorable. The cost for this distance of 132 miles, with 594 feet of lockage, is estimated at \$1,262,000, or about \$9,000 per mile. From Frankstown, a communication with the western waters must be formed by a portage, the line of which has been run, and its length ascertained to be 41 miles, with an ascent of 1391 feet, and a descent of 1348 feet, at an uniform inclination of one degree. It was found impossible, to effect the actual location of a portage line during the present season, so as to furnish an estimate of sufficient accuracy. It seems, however, to be the opinion of Mr. White, that a good turnpike road for this distance, may be made, at about the ordinary expense of similar works in a mountainous region, and that a railway may afterwards be advantageously fixed, upon the turnpike as a foundation, if such a change be deemed advisable. It is evident-

ly proper, to suspend a choice, between these two modes of improvement, until the examinations of another season shall have afforded additional light.

From Johnstown, to the head of the Kiskeminetuz feeder, as at present located, and which will become a part of the main canal, is 64 miles, with 368 feet of lockage, estimated at \$836,138—or \$11,400 per mile.

*Comparison between Northern and Juniata Routes.*

	Northern route.	Juniata route.
Whole distance to the mouth of Kiskeminetuz	337 miles	249 miles.
Length of canal	312 miles	208 miles.
Portage	25 miles	41 miles.
Rise and fall of portage	1,139 feet	2,937 feet.
Cost, exclusive of portage	\$4,592,000	\$2,098,138.
Lockage	1,080 feet	962

As an important element, in such a comparison, it may be added, that the Juniata route passes, with the exception of its mountain section, through a settled country abounding in mineral and agricultural productions; while about one half of the northern route, including nearly all the distance, between the mouth of the Sinnemahoning and the mouth of Clarion, must be located in the midst of a wilderness, capable indeed, of much improvement, but whose resources are not sufficiently known, to form the basis of a safe calculation.

The board have now stated the prominent facts, which appear by the documents, annexed to this report. For further detail, they refer to the documents themselves, as containing a mass of valuable and particular information, which will amply repay the labor of a perusal.

Mature deliberation upon the whole together, has led the board to the following conclusions. Any system of internal improvement, in Pennsylvania, must keep in view two leading objects: 1. To develop the natural resources, and cherish the industry of the commonwealth, by bringing all its important sections, as near as possible, to a sure and profitable market. 2. The establishment of such a communication, through the state, with the Ohio and Lake Erie, as may secure the commerce of the vast regions bordering on those waters.

As the best means of combining both these objects, they recommend the construction of the following works. 1. A canal from the mouth of the Juniata, or a point opposite thereto, to Northumberland; thence up the North Branch of the Susquehanna, to the northern boundary of the state, and up the West Branch, to the mouth of the Bald Eagle. 2. A canal from the mouth of the Juniata, up that stream to Frankstown; thence by portage across the Allegheny mountain, to Johnstown; and thence, by canal, down the Conemaugh and Kiskeminetuz, to join the present location of the western division of the Pennsylvania Canal, at the head of the feeder. The aggregate of estimates for the canals above named, is

\$4,381,157. It is safe therefore to assume at this time, \$5,000,000 as the cost of the whole 464 miles of canal, and 41 miles of portage. When to these works, shall be added, communications between the Delaware and Susquehanna, and between the Ohio and Lake Erie, a general system will exist, more equal in its operation, upon the several sections of the state, and better calculated to effect the great purposes of internal improvement, than any other that can possibly be devised.

The great outline being once accomplished, and its practical results fairly tested, minor works, for the accommodation of particular districts, may advantageously be introduced, as accessories to the general plan; such as a communication between the Susquehanna and Potomac, and between the Juniata route and the proposed Chesapeake and Ohio Canal, and some others of a similar character. At some future day, the increase of produce and population, upon the West Branch of the Susquehanna, above the mouth of the Bald Eagle, may justify the extension of a canal upon that river, and a connection with the western waters by means of a portage.

It is with great deference suggested, as the opinion of the Board, that the future legislation of the commonwealth, with reference to this subject, should be based upon such a plan as they have ventured to propose; and that such sums of money, as the legislature may appropriate, from year to year, should be divided, in fair proportions, among the several improvements which constitute the system. By extending the canals, already under contract, up the Conemaugh, Juniata and Susquehanna respectively, such distances in each year, as the appropriation shall justify, economy in the cost of superintendence, will be most effectually regarded, and each part, as completed, will be soonest brought into profitable operation.

If the views, which the board unanimously entertain, on this important subject, shall meet the approbation of the legislature, they take the liberty further to suggest, that the system be commenced as early as possible in the ensuing year, by placing under contract, lines of canal, from the mouth of the Juniata to Northumberland, 37 miles; from the same point, up the Juniata to Mifflin, 34 miles; and from the head of the Kiskeminetaz feeder to Blairsville, 33 miles.

It is estimated, that an appropriation of \$1,000,000 for this year, with the balance remaining from that of last year, will enable the board to complete the two divisions already located, and to carry on the three proposed lines, with the utmost activity, during that part of the season which shall remain, after placing them under contract. A similar appropriation, for five successive years, is completely within the resources of the government, and will accomplish that portion of the great system for the improvement of the state, which the information of the board enables them at this time, positively to recommend.

It is the wish of the board, during the next season, to complete the examinations required by the act of 11th April, 1825. Surveys

will be made by competent engineers, of the routes from Philadelphia, through Chester and Lancaster counties, to the Susquehanna; from the Ohio and Allegheny, to Lake Erie; and through Bedford county, to connect the route of the proposed Chesapeake and Ohio Canal, with the Juniata route. Should the decision of the legislature, upon the plan now suggested, render it necessary, they propose also to locate, with the utmost care, the line of a portage over the Allegheny mountain, between the Juniata and Conemaugh.

There is one line of communication, within the borders of Pennsylvania, to which much importance is deservedly attached; but which, under the existing law, the board have no power to examine. They allude to a route from the tide water of the Delaware, up the valley of that stream. Its bearing upon the prosperity of our commercial capital, and its tendency to accommodate a rich section of country, far removed from the scene of other projected improvements, have given it considerable interest in the view of the board. They, therefore, respectfully ask for authority to make such an examination during the approaching season. The means already at their disposal are deemed amply sufficient for this, in addition to the other surveys named.

By the act of the 25th of February, 1826, the canal commissioners are directed "to construct a navigable feeder of a canal from French creek to the summit level at Conneaut lake, as soon as they shall deem it expedient and practicable." The entire practicability of this work is demonstrated by the report of Major Douglass, heretofore referred to; but whether its execution shall be immediately undertaken, or shall await the determination of a line between the Allegheny and Lake Erie, is a question of expediency, which, in their opinion, the legislature should decide. It may be remarked that the construction of a part of the feeder, during the next season, might be so combined with the Ohio and Erie surveys, as that a single engineer would attend to both; and that \$100,000 applicable to this object, is quite as much as could be profitably employed before the next session of the legislature.

One or two subjects of minor importance remain to be disposed of.

It will be remembered that the board in their report of December last, referred to the probable necessity of raising the upper level of the eastern division of the Pennsylvania canal; and of so changing the location, and the mode of drawing water from the river, as to correspond with the original plan, proposed by Mr. Strickland. Within a few days past, this question has been referred to the four engineers in the service of the board, in pursuance of whose unanimous report, (hereto annexed,) the upper level has been continued to the upper reef of Foster's falls, near Clark's ferry, and the alteration approved by his excellency the governor. At the last mentioned point, a dam of three feet high will be erected in the river, so as to ensure an abundant supply of water at all seasons, and enable the trade of the Juniata to reach the entrance of the canal, with greater facility. An opening will be left in the dam, in a right line with the channel, for the passage of river craft,

and guarded in such a way, as rather to improve than impair the natural navigation of the river.

By the sixth section of the act of the 10th of April, 1826, the commissioners are required, "during the present season, to call upon and receive, or cause to be called upon and received, from all persons, as far as can conveniently be done, who are owners of land along and near the proposed lines of communication, between the eastern and western waters, acquittances or releases from any claim to damages, in case the said line of communication should pass through their land, and for materials which may be taken to carry on the work." At an early period after the passage of the law, a committee of two members of the board was appointed to superintend its execution, with authority to employ a suitable person, whose business it should be to pass over both contemplated routes, and call upon the owners of land contiguous thereto. The committee on the same day engaged an individual, who has since passed on foot along the whole northern route, and back to Harrisburg, by the Conemaugh and Juniata. The result of his labors, although there is no reason to doubt his industry or fidelity, has fallen far short of what was probably expected by the legislature, when they framed the law. There seems to have existed among the owners of valuable property, a strong and perhaps not unreasonable reluctance, to waive their rights, without first ascertaining the precise degree, in which their interests would be affected, by the contemplated improvements. The expense incurred in this undertaking was \$243 25, viz: \$274 50, for 183 days services, and \$18 75, for contingent charges. A report of the committee, entrusted with this subject, and of the person employed by them, is hereto annexed.

The experience of the board, during the past season, has shewn that in many cases, where damages are claimed for small portions of private property, which are in a great measure destroyed by the public works, it would be cheaper to purchase the land at a reasonable rate, than to pay the amount of such an assessment as would probably be made. The cases referred to, in the last report of the board, are precisely of this character. The power to purchase on behalf of the state, cannot be implied from the present act of assembly, nor could it be available, without further authority, to sell the remainder not occupied by the canal, and to give the vendee a legal title. On both these heads, therefore, the aid of the legislature is respectfully asked.

The existing laws, which regulate the board, and define its powers, speak only of canals, and are thought to exclude the idea of a slack water navigation. That the former should be the prevailing mode of improvement, the board entertain no doubt. But there are portions of all our river valleys, so closely confined by steep and difficult banks, that the latter might be substituted at a great saving of expense, and without impairing the advantages of the work. Some discretionary power in such circumstances, should, therefore, be given to the commissioners, under proper restrictions.

The board have not ventured to recommend the construction of extensive works, without a well founded conviction, that they must yield a revenue to the commonwealth, completely adequate to the original cost. A special committee have devoted their attention to this interesting subject, and have availed themselves, of every source of information, that could be relied on. The materials collected from the most intelligent, and best informed individuals, in the several sections of the state—partly in conversations, and partly in the form of written answers to questions proposed, are too various and extensive to be offered in detail. A few general results, will therefore be stated, to justify the opinion already expressed:

It is estimated that 63,386 tons, of vegetable and mineral products of the value of \$1,690,000, which must be carried on a canal, when made, now pass annually down the North Branch, and that 29,907 tons of such articles, worth \$1,020,000 pass down the West Branch, in the same time, making the total present trade of the Susquehanna, above the mouth of Juniata, which a canal must take 93,292 tons a year, and its value \$2,743,000. The trade of the same kind down the Juniata, is at least 33,000 tons, of the value of \$1,188,000, so that the total of commerce, which passes the mouth of Juniata, by water, from the north and west, of a kind to be carried on a canal, in preference to the river, is 125,303 tons, of the value of \$3,931,000.

It is estimated, moreover, that 573,160 bushels of salt, and 17,440 tons of iron, arrive annually at Pittsburg, by land and water, from districts bordering on the Conemaugh and Kiskeminetas, making the whole present tonnage, of these two articles, 31,769. The transportation of goods by land, from Philadelphia and Baltimore to Pittsburg, amounts to 9,300 tons a year, for which \$465,000 is paid, and the return transportation to those places, is 5,300 tons, for which \$132,500, is paid at the present reduced rates. The aggregate of this land transportation, or 14,600 tons, may be added to the tonnage, already stated as existing, on the Juniata and Kiskeminetas. Nor does this estimate include the flour, whiskey, and other produce which arrives at Pittsburg by land, and is carried by land from the neighborhood of the Juniata—which items would greatly swell the amount.

It is believed, that the commerce already existing, would be an object sufficient to justify the undertakings proposed. But when the immense quantity of mineral and agricultural products, comparatively worthless at present, which a safe communication, with a steady market, would raise at once to their proper value, is taken into the account—the aggregate above stated, sinks into insignificance. The anthracite coal of Wyoming, and the adjoining valleys, and the bituminous coal of the Towanda, will pass down the North Branch in quantities, exceeding its whole present trade, and only limited by the demand, which all the markets of the union can create. The iron and coal trade of the West Branch, and of the Juniata, and the supplies of salt, coal and iron, from the Kis-



keminetas, may be expected to increase in the same incalculable ratio, while immense quantities of the products of agriculture, which sink under the cost of a precarious transportation, will find their way by all these avenues, to a profitable market. In addition, it must be remembered, that the return tonnage on the canal, which enters but partially into the foregoing calculations, will afford to the state a handsome revenue.

One view of this subject remains to be suggested, which is entitled to great weight, with the intelligent and patriotic. The state of Pennsylvania has advantages of the highest grade, and sources of wealth almost without a limit. But while the bounties of nature have flowed so copiously, the great principle in the order of providence, which calls for human effort, in exact proportion to natural capability, has been indelibly written, on her mountains and her torrents. For want of such exertion, the prosperity of Pennsylvania has comparatively languished, while a more enterprising neighbor has advanced, with unparalleled rapidity. Without artificial navigation, the citizen of Pennsylvania has been limited in his commerce, to the course of a stream, or has found in her mountains, an impassable barrier to a profitable market. Hence, each section of country has had a different outlet, most of them beyond the borders of the state; hence, that wealth has been dissipated among strangers, which ought to be accumulated in emporiums of our own—and worse perhaps than all, a disunion of interests and of feeling has been created, than which, nothing can be imagined more dangerous or enfeebling.

The system proposed, is deemed adequate to the remedy of all these evils. It will give full scope to our natural resources, and to our most valuable industry, an increased activity. It will unite all sections of the state, by the bond of common interests, and mutual dependence. It will ensure to our own citizens, the profits of our own industry, and accumulate that wealth which industry and enterprise, combined with natural and artificial advantages, cannot fail to produce.

All which is respectfully submitted,

By order of the board.

WM. DARLINGTON, President,

Jos: M'ILVAINE, Secretary,

*Harrisburg, February 6th, 1827.*

## No. 1.

**Report on the Susquehanna and Potomac route,  
by John Mitchell, Esq.**

*To the Board of Pennsylvania Canal Commissioners.*

GENTLEMEN—

In compliance with your letter of instructions, dated the 17th June last, I immediately proceeded to the duties assigned me, and commenced my levelling as marked on a buttonwood tree, on the north side of the Conodoguinet creek, at its junction with the Susquehanna, in the county of Cumberland. I continued my level up the creek, following the different windings of the channel the distance of three miles and 94 perches, to a marked swamp white oak, making an ascent of 16.08. On the south side of the creek, the banks are high, and afford no bottom, which does not overflow by high water. On the north side, for a short distance above the mouth of the creek, the ground ascends gradually from the creek; the high banks then put in, the same as on the south side. The slate and lime stone soil, is divided by this stream, the former being on the north, and the latter on the south side. Continued my level, a distance of five miles, and 79 perches, to a marked cherry tree, near the dwelling-house of a Mr. Orr. Ascent, 16.02; the banks, bottoms, &c. the same as before described. Continued a distance of 4 miles and 240 perches, to Roop's mill dam. Ascent 17.63; banks steep and high; bottoms as before. Continued a distance of 9 miles and 38 perches, to Fisher's mill. Ascent, 29.18. In this distance three lime stone bars put across the creek, from the south, to the north side; the banks and bottoms as before. Continued a distance of five miles and ten perches, to Hoover's mill dam—ascend, 12.50. In this distance, one lime stone bar, extends across to the north side of the creek. The banks continue steep and high; but occasionally the bottoms are wider. Continued a distance of 4 miles, and 116 perches, to the mouth of Letart Spring—ascend, 6.05. One limestone bar crosses the creek; banks not generally so high as before, and bottom increasing in breadth. Continued a distance of 4 miles and 128 perches, to the mouth of the cove, at Blain's mill dam—ascend, 14.55—bottoms, wider than before; and banks not so high. Continued a distance of 6 miles and 250 perches to Haye's mill dam—ascend, 21.66. In this distance, the banks are alternately high and low—a short distance below this mill, the slate land commences, on the south side. Continued a distance of 4 miles and 38 perches to Dillar's mill dam—ascend, 13.05—limestone again, on the south side, and a bar of 50 perches in breadth, crosses to the north side; bottoms and hills as before. Continued a distance of 4 miles, and 280 perches, to the point of an island, near, and below Judge Graham's—ascend, 18.04. A part of this distance, slate



banks on both sides—bottoms, larger than before. Continued a distance of 10 miles and 43 perches to Mrs. Thompson's—ascent, 41.57. In this distance, there are alternately, high banks on one side, and bottom on the other; slate land on both sides of the creek. Continued a distance of eleven miles and 13 perches, to the mouth of Herron's branch—ascent 65.35—slate banks on both sides, and occasionally extending to the water edge, with a considerable elevation—proceeded up Herron's Branch, a distance of 4 miles and 46 perches to a post, marked near Mr. Koiner's house, at what is called Culbertson's Row—ascent, 53.86. In this distance, the slate soil terminates, and the limestone, commences on both sides of the branch. Continued my level to the head of the springs, a distance of 190 perches—ascent, 12.27. Here are two large and standing limestone springs—the place called Culbertson's Row. Returned to the point at Koiner's, and pursued a natural water course, but now dry; a distance of two miles and 124 perches, to the summit level, near Green Village, as marked on my draft—ascent 43.73. In this distance, the limestone rocks, appear to approach near to the surface of the ground, and in many places have the appearance of being washed by a stream of water, and are entirely bare, and exposed to view on the surface of the ground. After exploring the country, in search of the lowest ground, and being accompanied by a number of gentlemen from Chambersburg, I returned to the summit, and carried two different levels, to the Conococheague creek, both of which, terminated at the same point, say at Weaver's mill, being the height of my summit level. One of those surveys only, is represented on the draft, and marked as a feeder, the length of which will be not more than two miles. Descent from the summit, by the first survey, which is not represented on the draft, and which terminated in the head run, of Hettick's mill, but a considerable distance below his dam, is 17.22. I would approve of building a dam of six feet in height, across the creek, 111 perches above Chamber's mill, from which the water can be conveyed to the summit, and will not only give an increase of water, by the addition of three springs, one of which is large, but also avoid a very difficult part of the construction of the feeder, which arises from the very steep and rugged limestone rocks, projecting to the water edge, above the proposed dam. Beginning again at the summit, I continued my level towards Chambersburg, on the ground on which the canal might be made, and following a natural channel leading to the creek, which is laid down in my draft. Distance to the creek, one mile and 82 perches. Descent 34.70; the soil is limestone, but appears not to approach so near the surface of the ground as on the ascending side of the summit. Continued down and along the creek, a distance of one mile and 34 perches, to where the bridge on the turnpike road, crosses the same. Here our course terminated at the height of the west end of the bridge, above the water, making to this point, a descent of 5.33. There are bottoms on one or the other side of the creek, for the last distance.

My course from this bridge was along the turnpike, a distance of 2 miles and 140 perches, to the surface of the water, in the Conecocheague creek, in the town of Chambersburg. Descent 40.07—the creek for this distance on my right—the soil limestone, on the south side, and slate, in part, on the north. From this point I commenced levelling to connect my survey with the waters of the Monocosy and the Conewago creeks, and pursued the turnpike road leading to Gettysburg; finding the height of the South mountain, on the said road, 825.39 above the creek, at Chambersburg. Here I departed from my instructions, believing it a useless expenditure of time and money, to search for the lowest summit between the Conecocheague and Conewago creeks—they both rising in the South mountain, and nearly at the elevation above stated, from Chambersburg: Continued a distance of 24 miles and 134 perches, being the distance from Chambersburg, to a marked thorn, at Rock creek, east of Gettysburg; making that point at Rock creek 195.85 lower than the summit, at Green village, and 115.25 lower than the creek, at Chambersburg. From here I proceeded up Rock creek, to the summit marked on the draft, the lowest summit, to connect with the Conewago—distance 7 miles 142 perches—ascend 80.20, above the thorn, at Rock creek, near Gettysburg; making this summit 115.15 lower than the summit, at Green village. This country, so far as I have been through it, since crossing the South mountain, is entirely a slate soil, and in many places a red slate rock, approaching within from 18 to 24 inches of the surface of the ground. This discovery was made principally along the small streams of water. I carried the level to five different summits, as represented on the draft. I then carried the level to a point on the Conwago creek, sufficiently high to bring the water to the summit. This point designated on the draft, by a white oak; to this point all the water destined for the summit is brought, and from there passes, in one feeder, as represented on the draft. The water for this summit is taken from the Conewago, Oppossum and Marsh creeks. the different measurements are stated in note book, No. 4. From a particular inquiry among the people on these waters, I am inclined to believe, that the streams become much lower than when I measured them; the Conewago more so than either of the others. I carried my level towards the south branch of Marsh creek, with a view of bringing it in, but in this I failed—the ground is such as cannot be passed to a height necessary to throw the water into the Marsh creek feeder. From here I returned to the Roxbury branch of the Conodoguinet, and levelled up to the B. O. as marked on the draft, and the height of the summit. The feeder, from this point will be little less than nine miles in length—the ground part slate and part limestone. The water of this stream was measured above the forge, as marked on the draft, and was a little swollen by rain, which fell the evening before. It is, however, said to be a standing stream.

Here my explorations ceased and with my party, I returned home. For farther information and particulars, I refer you to my note

books, four in number;—they are the original notes and remarks, taken on the ground. I have, so far as was consistent with my duty, conformed to the wishes of the people, in the counties which I passed through, in making the explorations suggested by the most intelligent of them.

The public property which remained in my hands, from the last year, has been deposited in the arsenal, at Harrisburg—the receipt now delivered you—the levelling instrument is now in the possession of Mr. Rawle, at Harrisburg.

The only public property now remaining in my possession is the small water level, which will be delivered on your order.

J. MITCHELL.

*December 8, 1826.*

N. B. I find I have neglected to state my levelling up the west branch of Marsh creek. It will be found represented on the draft, as terminating at an elm, on the creek, and at the place where the feeder commences.

J. M.

## No. 2.

### Report on the French creek feeder, by Major D. B. Douglass.

*To the Board of Canal Commissioners of the state of Pennsylvania.*

GENTLEMEN—

Having completed my surveys and examinations, on the route of the “feeder from French creek to the summit level at Conneaut lake,” and the various calculations connected therewith, agreeably to the instructions of the board, I have the honor to report as follows:

The first object to which the attention of the engineer was necessarily directed, as being preliminary to any local determination of the feeder, was the provisional location and graduation of the “summit level,” itself. For this purpose, having organised a surveying party under Mr. E. Felton, of Meadville, and a levelling party under my own immediate direction, I proceeded on the day, but one, following the departure of the board from Meadville, to the summit ridge, between Conneaut lake and the Big Conneaut of lake Erie. This ridge consists of a range of moderately elevated and undulating upland, varying in height from about thirty to ninety or one hundred feet above Conneaut lake, lowest towards the west. On its southern slope it gives rise to several small tributaries of Conneaut lake, which interlocking in some instances with corresponding tributaries of the Big Conneaut, furnish routes more or less eligible for the communication between the two waters. Among these, the route which has attracted the principal share of

public attention, hitherto, is that which passes from the lake up the eastern branch of Beaver Dam run; another has been suggested more westerly than this; and another more easterly, by the valley of Prairie run, (Bright's mill stream.) The more westerly route I did not examine, as from the best information it appeared evident that its relation to the feeder would be very nearly the same as that by Beaver Dam run. As to the route by Prairie run, although manifestly higher at the summit than the Beaver Dam route, it appeared also much more direct, and particularly when taken in connection with a supposable route up the eastern shore of Conneaut lake; and I concluded, therefore, to run a line of levels upon it. This line commences at the mouth of the inlet, (so called,) and was run nearly north, by the valley of Prairie run, crossing the public road a little west of Brown's house, to the dividing ridge, and so on to a water of the Big Conneaut, as exhibited on the map. An offset line was also run from a point in Brown's meadow, to the highest part of the Beaver Dam route, and compass lines on both, from the lake, across the height of land, and down the respective branches of the Big Conneaut till they met. Similar lines run on the two shores of Conneaut lake, completed the examinations with respect to the summit level, and the party was then withdrawn to the foot of the lake, to commence the survey of the feeder. The questions which present themselves, with reference to the route and level of the summit line, and which were to be decided by the surveys and measurements just enumerated, are the following:—1st. Whether that line should cross the dividing ridge by the valley of the Prairie run, or by one of the branches of Beaver Dam run? 2d. Whether it should pass up the eastern or western shore of Conneaut lake? 3d. Whether it should be graduated to the present level of the lake, or made to unite with it at some higher level; or, finally, whether it might not advantageously be graduated at a much higher level, and made independent of the lake?

The hope of obtaining an advantageous location by the Prairie run route, was founded, as already mentioned, upon the idea that its superiority in point of distance, was more than sufficient to counterbalance the disadvantage of a greater depth of cutting. Upon trying it with the level, however, the difference of cutting in favour of the Beaver Dam summit, was found to be much more considerable than I had at first imagined. Amounting, (as may be seen by the comparison on the third page of the level book) to about twenty-six feet, and requiring in the case of a graduation at the present level of Conneaut lake, a deep cutting of nearly sixty feet on the Prairie summit. So great a difference, of course, excluded all probability of a location by this route, connected with a graduation at or near the present level of the lake, there barely remained the possibility of using it with advantage, in connection with a line located along the uplands of the eastern shore, at some distance above the lake; and measurements were accordingly directed with reference to that point. By a comparison, however, of these measurements, it appears that even in this case, the preference must be yielded to the western route. The distance from the

head of the lake, for instance, to the junction of the two lines on the Big Conneaut, measures by the Beaver Dam summit, 1398 perches; and by the Prairie summit, 1218; and, as the difference of these lengths is evidently too small to compensate for the difference of deep cutting above mentioned, the route by the latter must be considered, in every point of view, as wholly inferior to the former.

The second question with relation to the summit level, involves a comparison of the advantages and disadvantages of the two shores of the Conneaut lake. The two routes following those shores, respectively, diverge from each other at some little distance south of the summit ridge. The one on the left, crossing over from the valley of the Beaver Dam, to that of the inlet, passes round the head of the lake, and down its eastern shore to the south-eastern extremity; where it leaves the lake and commences its course along the lateral slope of the out-let valley. The other continuing down the direction of Beaver Dam run to its mouth; takes, there, the western shore, and follows it to the out-let, thence, passing down the latter, and gradually changing to a more easterly direction, it rejoins the eastern route, at a permanent point of upland, about two thirds of a mile below the lake. In a comparison of the entire lengths of these routes, it appears that they differ but little; that on the eastern shore being 1,655 perches, while that on the western measures 1,550; the difference of 105 perches being in favor of the western route. But for the sake of comparing them more minutely and more accurately, I divide them each into three sections, the first extending from the upper point of divergence to the lake; the second, from the termination of the first, to the foot of the lake; and the third, from the foot of the lake to the point of re-union, as above specified.

The first section, by the eastern route, is 505 perches in length; by the western, 600. I observe, however, that the eastern, by crossing from the valley of Beaver Dam run, to that of the inlet, has necessarily a greater proportion of deep cutting than the western, which descends wholly by the former. The precise difference, I did not determine; but I am persuaded, from my general knowledge of the ground, that the mean sectional area, on the eastern line, is at least one half greater, than that of the west; multiplying this relation, by that of the lengths, we find the cubic quantity of the eastern, to that of the western section, in the ratio of about 5 to 4; and without taking into consideration, therefore, the difference of expense, on excavating bulk for bulk, at different depths, we infer, with respect to the first section, a difference of at least one-fourth, in favor of the latter.

The second section of the eastern route along the margin of the lake, measures 925 perches; and the corresponding portion of the western route, 700 perches. This difference of length, would at once suggest a preference of the western route, but it may not be improper to verify that preference, by considerations drawn from the topographical features of the two shores. The waters of Conneaut lake are no where deep, and along its shores particularly shallow; so that in the event of the canal being graduated to the pres-

ent level of the lake, it would every where require excavation below water, to form the navigable channel. Above water, the eastern shore is generally bold, while that on the west, is for the most part, skirted with a margin of low wet ground. The necessity of cutting through this, upon the supposition just mentioned, would render the western excavation somewhat more expensive, perch for perch, than the eastern; but taking its shorter distance into consideration, it is decidedly the most economical. Upon the supposition of a summit level, produced by embanking the lake to the height of five or six feet above its present level, the mean sectional area of the construction on the east side, will be about 19 square yards; that on the west 16 and the entire labor of the latter, taking the length into account, five-eighths that of the former. This calculation supposes that the channel-way of the canal is defended on the side of the lake by a break-water embankment. But as wind storms of such a character as would interrupt the navigation of the lake, are said to be of unfrequent occurrence in that vicinity, it is possible that this protection may not be required. Tornadoes have sometimes occurred from the south west, and in the winter, storms attended with heavy winds from the south west. The former would equally disturb the navigation of the canal as of the lake; while the latter, occurring during the winter, may be said to interrupt neither. In general, however, the winds which would be most likely to hinder the navigation, are from the western quarter, and hence an additional reason for locating the canal on that side of the lake. We conclude, therefore, upon every supposition of a level, graduated near the present level of the lake, the western shore is preferable upon the hypothesis only of a more elevated and independent location, the topography of the eastern shore would give it the preference; but the discussion of that alternative will more properly be introduced hereafter.

The sections No. 3, of the two routes now under comparison, measure, by the eastern route, 225 perches, and by the western, 250 respectively; and as the ground, over which they run, is nearly the same for both, they may be compared, with sufficient accuracy, by the simple ratios of these lengths. This gives a slight difference in favor of the eastern line; but as the differences already obtained upon both the preceding sections, are much more considerable on the side of the western route, the preference upon the whole, is unquestionably in its favor.

The third question, with relation to the summit level, is its graduation in height.

The principal advantage to be gained, by adopting a more elevated level than the present one of Conneaut lake, is in avoiding depth of cutting on the summit ridge. According to the experience of practical men, the expense of these cuttings, when the depth exceeds an ordinary limit, is very inadequately represented by any simple ratio of that depth; and a few moments attention to the subject, will enable us to infer the same truth upon mathematical principles. The total cost of a deep cutting, is compounded



of the cost per cubic yard, and the product of the length, depth, and mean breadth of the excavation. But each of these factors is, in some measure, dependant upon the *depth*, and varies with it; and the cost, therefore, of an excavation answering to an increased depth, must be the product of that depth, by an increased length, an increased breadth, and increased cost per cubic yard; on all these accounts, therefore, the increment of total cost must be much more rapid than the simple increment of the depth. It would not be difficult, if it would render the subject any more perspicuous, to reduce these factors to analytical formulæ, and to combine them in the expression of a general result, corresponding to every variety of case; but it is not necessary for the present purpose. It will be sufficient for illustrating the general remark, with which the subject was introduced, to present the result of a calculation upon two or three particular hypothesis—as for instance. If the cost of cutting through a ridge similar to the dividing ridge of the Conneaut, at the depth of ten feet, be expressed by 1, that of a *twenty* feet cutting, in the same case, would be 4, that of a *thirty* feet cutting 12, and that of a *forty* feet cutting 26, and it will readily be inferred, that a saving of even a few feet in a maximum cutting of thirty feet and upwards, is a matter of some consideration.

There are two ways of raising the summit level, above the present level of the lake. 1. By damming and banking, in the lake itself, to a higher level; and secondly by locating the canal along the uplands of the eastern shore, independently of the lake.

The project of embanking the lake has generally been contemplated with a view to the formation of a reservoir for the supply of the canal; and it is possible, that by the diminution of the streams, in consequence of the progressive improvement of the country, such an expedient may be required, at some future period, on this account; but, at present, its importance, in the point of view just mentioned, must be regarded as greatly superior. The expense of constructing the canal, upon the supposition of a level elevated, by a dam, to the height of five or six feet above the present surface of the lake, would scarcely exceed that of excavations to the present level. The line passing along between the marsh and upland of the western shore, would be formed, in case of an enclosed channel, by embanking a mean profile of about 16 square yards, as already stated, which does not greatly differ from the excavation on the lower level; the dam and embankment only at the foot of the lake, requiring an additional expense. But if the plan of construction without an enclosure on the side of the lake, should be adopted, the expense would be greatly diminished. In raising the level much more than six feet, however, the same relative facilities of construction would not exist; the general elevation of the country, on the western shore, being so slight, as to render necessary, in that case, a much larger proportion of embankment. For this reason, I propose, as a convenient medium, that the top water line, upon this plan of construction, be adopted at an habitual elevation of eight feet above the present level of the

lake, and that the works be also graduated, so as to admit of an additional elevation of two feet, if occasion should require it; this will reduce the labor and expense of thorough cutting at the summit ridge, in the proportion of about one half. The second mode of elevating the summit level, to which I have alluded, is by carrying the canal along the uplands of the eastern shore, independently of the lake.

The advantage of this arrangement would be, that it enables us to reduce the expense of deep cutting, to almost any desirable limit. By adjusting the line, for example, at the height of twenty feet above the surface of the lake, I find that the expense of the deep cutting would be reduced to about one-fourth that of excavating down to the eight feet level, and to less than one-eighth that of a thorough cut. So considerable an advantage should lead us at once to the adoption of this plan, if it did not appear to be attended, also, with several important disadvantages; and which, although developed in the subsequent parts of the survey, it will be more proper to notice, in this place, viz. First: The line of the feeder, located according to this plan, in comparison with that at the eight feet elevation, will be considerably increased *in length*; as for instance: It will be more circuitous in its passage round the head of Conneaut lake; and its whole course being located higher on the slope of the French creek and Conneaut valleys, will be more affected by the transverse irregularities of the ground, than at the lower level; and finally, having to derive the water of French creek from a higher point, it would require a considerable addition of length at the place of commencement. From all which causes, it is estimated, that the increase of length, arising by an increase of twelve feet, in the elevation of the line, would not greatly fall short of *four miles*.

Secondly: Several additional embankments would be necessary; and all those contemplated on the lower level—such as that for the crossing of Watson's run and the runs on French creek, or for the crossing of French creek itself, in case the east rise is taken, would be enormously increased.

Thirdly: An additional lockage of 24 feet, will be required in the ascent and descent of the main canal.

Fourthly: The supply of water for all the purposes of the canal, would have to be derived solely from the reservoir of French creek; and although I consider the volume of that stream as amply sufficient *at present*, for this purpose, I am not prepared to say, whether the effect of opening and improving the country, may not, at *some future period*, render its supply inadequate.

The mature consideration of these objections, induced me to look less favorably upon this plan, at the conclusion of my survey, than I had done at the commencement. But I am still of the opinion, that in point of mere first cost, if other considerations did not intervene, a cheaper canal might be constructed by this arrangement, than by passing through the lake. The *accurate* determination of the problem, would require a more particular, as well as a *more comprehensive survey*, with reference to that point, than it



was in my power, in so short a space of time, to execute; but considering it, from the general result of my observations, as improbable that the saving, in this respect, would compensate for the public inconvenience of a longer line and greater lockage, I have not hesitated, in adopting the graduation at the eight feet elevation, in common with the lake, in preference to an independent location, at a higher level. Should the board, however, from what has been said, be inclined to order a further examination of this question, the present survey would still furnish the necessary data, for the estimation of the line, from Conneaut lake downwards; as the ground on both sides of my experimental line, was embraced by transverse levels, to a sufficient distance for that purpose.

I proceed now to explain the operations on the line of the feeder, properly so called, from the foot of Conneaut lake, to the position of the dam, on French creek.

The outlet of Conneaut lake, meanders from the lake to its junction with French creek, through a strip of deep morass, called Conneaut marsh, having slopes of tolerably elevated upland, on the right and left. It is along that, on the left or N. E. side of the marsh, that the route of the feeder has generally been contemplated, and on this ground, therefore, commencing at the south eastern extremity of the lake, the experimental line was traced. Its height above the surface of the lake, was taken at an average of about 14 feet, as affording the most advantageous command of the lateral ground; and wherever there was any change in the lateral declivity of the ground, cross levels were run to the utmost extent of the probable location. For the first three miles, the operation was attended with considerable difficulty and delay, in consequence of the intricacy of the woods, and the numerous wind-falls of heavy pine timber; but beyond that distance, the ground became more practicable, and continued, with very little exception, alternating between improved land and open woods, for the remainder of the distance, to French creek. The ground on the whole of this distance, is remarkably favorable for canalling; the soil being generally of the easiest kind for excavation, and of an excellent quality for holding water; and the ground, by its gentle and almost uniform lateral declivity, affording the most convenient scite for the construction, as well as for the location of the canal. The only point which can bear a particular exception to this remark is, the crossing at Watson's run, where a considerable culvert and two embankments, of moderate elevation, and about 250 yards, total length, will be necessary. The slight embankments which will be required in a few other instances, and the extra cutting which may be necessary, in two or three places, for connecting the alignment of the canal, are too inconsiderable to be particularized in this place; and the whole twelve miles, therefore, from Conneaut lake to French creek, with the small exception just mentioned, may be regarded as particularly favored by the topography of the ground.

On the arrival of the survey upon the western margin of French creek, the question presented itself, whether its continuation should be carried up the eastern or western shore of that stream. In all

the surveys and examinations made by the authority of the United States, the western shore had been uniformly contemplated as affording the most eligible route; but as some degree of importance had been attached by the people of Meadville, to the eastern side; and as the objects of the present survey were presumed to have a more particular regard to local accommodation than that of the general government could have, it became necessary to bring the advantages and disadvantages of the eastern into a fair comparison with those of the western shore. It was expected also, at that time, that the results of the United States' surveys on the western shore, would have been communicated in answer to the application of the board; and as the time allotted to this survey was extremely short, it was hoped that both terms of the comparison would thus be placed within the reach of the engineer, by the mere examination of the eastern shore. I did not hesitate, therefore, in choosing that shore for the continuation of the line. After due examination of the ground, for some distance up the creek, the point of crossing was selected, at a few hundred yards above the dwelling house of Edward Herrington. The creek, in that place, approaches a very high bank, on its eastern shore, while the bottom on the west, is reduced to about 200 yards in width, by a prominent point of upland, running out from the general range of hills on that side. No other point between the mouth of the outlet and Meadville, appears to present equal advantages for crossing, if the eastern shore should be taken. Four days operations, including the crossing of French creek, carried the level line to the village of Meadville, and a fifth enabled me to close it at Bemiss' mill, two miles above. The measurement, and a brief personal examination of Major Kearney's line, on the western shore, then terminated the surveys relative to the line of the feeder.

It appears from the results of these surveys, that the location of the line, on either side of French creek, is attended with somewhat greater difficulty than that down the Conneaut valley. On the eastern side, immediately on crossing the creek, the steepness of the lateral declivity presents some inconvenience for a short distance, after which we come to a bold bank of the creek, resting upon a substratum of blue clay and exposed to slips. Generally, the ground for the first mile and a half, after crossing the creek, is broken and irregular; and at one place, near Shaw's house, will require a short deep cutting of about sixteen feet, to avoid the circuit of a projecting headland. A mile and a half of favorable ground then occurs, from Wentworth's farm, inclusive, except a slight extra cutting and embankment, near William Compton's. Beyond this, about a quarter of a mile of steep and irregular second bank, brings us upon more favorable ground for about three fourths of a mile, passing Smith's and Bemiss' farms. The lateral slope then assumes more distinctly the character of a steep and sometimes precipitous second bank, along the face of which the line of the feeder must pass, occupying nearly the line of the old Franklin road and the turnpike for a mile and a half, which brings us to the flat level grounds south of the village of Meadville. The location

is then highly favorable to the entrance of the village, which for the present is assumed as crossing Arch street near the intersection of Plumb alley: thence passing to the intersection of Chesnut and Second streets: and thence, either through the latter, or in a more direct line, to the S. W. corner of McGaw's mill. where it strikes the bank of French creek, and leaves the village with a deep side, cutting of about 70 perches in length. The remaining distance to Bemis' mill dam, the greater part requires a location at the foot or along the face of a steep second-bank, some part of which would have a small proportion of the excavation in a species of loose slaty freestone. Towards the dam, however, the elevation of the bottom land on the left, becomes such with respect to the probable graduation of the feeder, as to afford an advantageous location by leaving the bank and gradually approaching the creek.

I have assumed Bemis' dam, as the site of the feederdam, in the case of a location on the *eastern*, as well as on the western shore; but if the eastern side should eventually be taken, it would deserve further enquiry, whether a dam, at some higher point, would not be preferable. On the west side, the boldness of the shore, above Bemis', determines the question in favour of that position.

The general character of the topography, on the western side of French creek, is much more bold, than that on the east; a considerable proportion of its valley, from the Conneaut outlet, to Bemis' mill, being bounded on that side by very high and steep hills. From the point, north of Herrington's house, where the two lines separate, the first two miles present a surface of broken and irregular ground; and particularly the first mile, must be regarded as unfavourable, on account of the extra cuttings, which will be required in one or two instances. The lateral declivity, is also considerable in some places, though not so great as to require any very extraordinary expense, on that account; but beyond this distance, it increases to the extent of  $25^{\circ}$ ,  $30^{\circ}$ , and even  $35^{\circ}$ . and continues about one thousand yards, so great as to require a considerable height of wall on both sides for the support of the excavation and embankment. The ground here, assumes a more favourable character to the crossing of Wilson's run, where an embankment of about three hundred and fifty yards in length, will be required. Immediately after leaving the valley of Wilson's run, the line again takes the face of the hill with a sideling declivity, of from  $30$  to  $40$  degrees, and continues upon it, without any great variation from these limits, for nearly 1200 yards! The slope then becomes somewhat less precipitous, and occasionally various, to a degree sufficiently gentle for construction, without the aid of revertment-walls; and after passing in this way, about six hundred yards further, it becomes altogether favourable, and so continues to the crossing of Vanhorn's run. Here a further embankment of two hundred yards will be necessary, the earth of which, will chiefly be furnished by an extra cutting through the hill, behind Vanhorn's house. From this point to Kennedy's bridge, the ground is of the most favorable kind; but from the latter to the crossing of the Cassawaga, about a mile, the line occupies the

slope of the upland bank. the declivity of which, however, becomes inconsiderable towards the extremity of this limit. After crossing the Cassawaga, which requires a wide culvert, and about 500 yards of embankment. The topography is wholly favourable for the remainder of the distance to Bemis' dam.

Having thus exhibited a general view of the ground, on which the feeder must, in any event, be located, as well down the valley of the Conneaut outlet, as on both shores of French creek, it remains, before we proceed to the particulars of its location, to determine the important question of its *declivity*.

It is frequently imagined, that the declivity, at the bottom of a canal, regulates the velocity and discharge of its waters; but a very little attention to the subject will show, that this idea is founded upon a false analogy, which the mind is apt to imagine, between the channel of a canal and that of a river. If the guard-gates, for instance, at the extremities of a long reach of canal, were kept carefully closed, there could evidently be no discharge; and, whatever might be the declivity of the bottom, the water in such a canal, must remain perfectly quiescent. If, now, a sluice be opened at one extremity of the reach, (the water being kept at an uniform height, at the other) a discharge, corresponding to the capacity of the sluice, is immediately produced, the water in the canal, also acquires a velocity in some proportion to the discharge, and the surface assumes the declivity, to which that velocity is practically due; and here, also, as before, the whole operation is independent, except in a very remote sense, of the declivity at bottom. The principal object of solving the problem (and a very important one in the adjustment of a feeder, where the discharge is great) is, that, for the convenience of navigation, and the safety of the works, the depth of the canal may be made uniform.

The proper course of enquiry, therefore, in conformity with these views, is as follows:—

1st. To ascertain the actual demand at the point where the feed-water is to be delivered.

2d. Knowing the transverse section of the feeder, to determine the velocity answering to the required discharge.

3d. To ascertain the superficial declivity to which that velocity is practically due. And

4th. To apply the result in graduating the declivity at the bottom.

Firstly. To ascertain the actual demand at the point where the feed-water is to be delivered.

The water of a canal is expended, as is well known, in *evaporation*, *filtration*, *lockage*, and *leakage*. Of these, the evaporation and filtration depend upon the *length* to be supplied, while the lockage and leakage are absolute terms, having no dependence upon the length.

The effect of *evaporation* chiefly takes place during the summer months, when the business of the canal is most active, and when

its water is most in demand for other purposes; it is, therefore, to be estimated at its maximum. According to the most accurate observations, this maximum has sometimes exceeded the rains for a month together, at the rate of a *quarter of an inch* in depth *per diem*, upon the whole surface exposed; but it may be more generally and more justly estimated at about two-tenths of an inch *per diem*, or which is very nearly the same thing, one cubic foot per minute on a surface of about 100,000 square feet. This gives a loss from the surface of a canal 40 feet wide, at the rate of about two cubic feet per mile, per minute.

The loss from *filtration* depends upon the surface of water in contact with the sides and bottom of the canal, and varies very widely, according to the nature of the soil and the quality of the construction. On the New York canals, it was observed, during the first years of the construction, that the expenditure for evaporation and filtration, amounted to upwards of 100 cubic feet per mile, per minute; but, as the supply of water is very abundant, it is presumed the canal was not as carefully puddled as it might have been. When this is done, the expense of water attributable to these causes, may be reduced to half that amount, and probably to as little as one-fourth, after a sufficient time has been allowed for the banks to settle. The soil through which the Conneaut feeder is to be excavated, is generally of the most favorable kind for retaining water, and the best of puddle-stuff is also every where to be found, within a few rods of the line; and, as the same may be said of a considerable portion of the line of the main canal, which is to be fed from this summit, we shall be safe in assuming fifty cubic feet per mile, per minute, as the loss on account of evaporation and filtration. With respect to the length of the canal, which will ultimately derive its supplies from this source, it cannot now be accurately known; but we may obtain an approximation sufficiently near for our present purpose. It will consist, in the first place, of the whole northern descent from the summit ridge to the harbour of Erie. Secondly, of the southern descent from the same ridge, to some point where good secondary feeders can be introduced. And thirdly, of the entire feeder. For calculation sake, I assume the whole at ninety-six miles, (and it will surely not exceed this,) and at the rate just mentioned, we thus obtain the entire draft of water from the Conneaut feeder for the supply of evaporation and filtration, equal to 4800 cubic feet per minute, or 80 per second.

**Lockage.** A canal on so important a line, as that from lake Erie to the navigable head of the Ohio, should undoubtedly be calculated for a maximum navigation; as, from the extraordinary progress of improvement in the west, it can be but very few years after its completion, before it will be filled with boats to its utmost capacity. In estimating the quantity of lockage water for such a case, we have first to ascertain the number of boats which may conveniently pass the locks in any given time. For this purpose, it will be most convenient to resolve the time of a complete passage into three periods: 1st. The time employed in entering the lock and closing



the gates. 2d. That consumed in filling or emptying the lock. And 3d. the time required for getting under weigh and clearing to a sufficient distance for another boat to commence entering.

When the boats regularly alternate, every drawing off of the lock passes a boat down, and every filling up raises one; in this case, therefore, the time of each boat occupying the lock is merely the sum of the above three periods. But when a succession of boats takes place, the lock has to be filled and emptied for each boat; so that the time occupied in this case, is the sum of the first and last periods added to twice the second.

The number of boats that may pass in a given time, is evidently greater upon the first supposition than upon the last; but because in that case each boat requires only *half* a lockful; whereas, in the other, a complete lockful is necessary, the quantity of water expended, in the same time, is less. The average of both, viz: the number of boats, and expense of water, will be most correctly estimated by supposing the boats to arrive in convoys of two, which gives an alternation and succession alternately.

By the mean of seventy-four passages, on the locks of the New York Canal, observed in 1824 and 5, I find that the average time of entering one of these locks, is one and a half minutes; the average time of filling, or emptying, reduced to a uniform lift of 10 feet, three and a half minutes; and the time of clearing, one minute and two seconds. Using these numbers according to the principles just stated, I find that the time of locking, when the boats present themselves alternately, and supposing the locks to be of the same size and capacity as those of 10 feet lift on the New York Canal, is at the rate of six minutes and two seconds for each boat, and at the rate of nine minutes and thirty-two seconds for each boat, when the boats follow each other. If, therefore, the boats were to present themselves continually, according to the first supposition, ten boats *nearly* would be enabled to pass in an hour, with an expenditure of five locks-full of water; but according to the second supposition,  $6\frac{1}{2}$  boats only could pass, at an expense of  $6\frac{1}{2}$  locks-full; and these will be the extreme limits, both for the number of boats, and for the expenditure of water. Upon the average supposition of the boats presenting themselves in convoys of two, we find the mean time of locking to be 7 minutes and 47 seconds for each boat, and the number of lockages  $7\frac{7}{10}$ ths, say eight per hour; which being multiplied by the mean expense of water for each boat, (viz. three-fourths of a lock-full) gives for the maximum navigation, 6 locks-full per hour. And this, therefore, will be the expenditure in lockage, at each end of the summit level.

The prism of lift of the 10 feet locks, on the New York Canal, and as contemplated for that of Pennsylvania, contains 13,500 cubic feet of water; consequently the demand of the Conneaut summit, for all the purposes of lockage, will amount to 162,000 cubic feet per hour, or 2700 per minute.

**LEAKAGE.**—Having calculated the supply of lockage water for the most active state of navigation, it is almost superfluous to in-

introduce a separate allowance for leakage. If the locks and gates are properly constructed, it is reduced to a very inconsiderable quantity, indeed, compared with the expenditure just calculated; but, that every possible contingency may be adequately provided for, I propose an addition of three cubic feet per second, for this loss, in addition to those already estimated, which will be sufficient to compensate a loss of 90 cubic feet per minute, at each end of the summit level.

The total demand of the canal, therefore, will stand as follows, viz:

For evaporation and filtration, on 96 miles, at 50 c. ft.	
. per mile, per minute,	4800
For lockage, at 12 locks-full per hour,	2700
For leakage,	180
	<hr/>
Total, per minute,	7680 c. ft.
Do. per second,	128

The whole of this quantity I propose to draw through the feeder from French creek. A small part might, indeed, be calculated upon, from the surplus of Conneaut lake, and from the streams over which the line passes; but I have chosen rather to neglect it, for the following reasons: The surplus of Conneaut lake, according to the gauge notes of last summer, amounts to no more than  $7\frac{1}{2}$  c. ft. per second; and as the evaporation of the lake will be considerably increased by the enlargement of its surface, and as some extra filtration will also take place at the dams and dykes, by which it is to be enclosed, I suppose the whole of its surplus to be employed in the repair of these losses. With respect to the streams over which the line of the feeder passes, they are generally of so inconstant a character, and so highly charged with alluvion, in the season of floods, that it will rather be the part of good policy to exclude them wholly from the navigable channel. Finally, the volume of French creek is amply sufficient, *at present*, for the entire supply. This stream was gauged three times during the survey—once at Meadville, below the mouth of Cassawaga, by measuring the transverse section and superficial velocity. This measurement gave a discharge of 157.45 cubic feet per second; but as it was evidently affected by the stoppage of the mills on the up stream, and at the mouth of the Cassawaga, I have generally considered it as less accurate than either of the others. The second was performed at Sample's ford, about a mile above Meadville—the point of Bermis' mill, a short distance above, having been previously drawn down, as nearly as possible, to its natural discharge;—no rain had fallen for several weeks, except a few showers the day before, the effect of which had been marked. This measurement gave a total discharge of 160.17 cubic feet, per second; and making every allowance for the effect of the recent showers, gives 147.3, as the discharge, under all the influence of the drought. The third measurement was performed with great care, and under the most favorable circumstances, at the flume of the head gate of Bemis' mill.

It took place on the same day, and under the same circumstances, as to *weather*, with the preceding, and after the head of water in the pond had been drawn down during the whole of the preceding night. The result was 190 cubic feet per second, at the time of measurement, and by rejecting two inches from the head, which was verified as the effect of the showers of the preceding day, gives 158.9 cubic feet, the discharge effected by the drought. This was as satisfactory a measurement as could have been desired; and as the season of 1826 was an unusually dry one, it is not probable that the water of the creek will often fall much below this limit; we may therefore, with still greater certainty, calculate upon its capacity, at all times to afford 128 cubic feet for the purposes of a canal.

The feeder for the conveyance of the water, is to be "a navigable feeder;" and as the boats which navigate it will generally be of the same capacity as those upon French creek and the Allegheny river, it ought to have at least equal dimensions with the main canal, viz: 28 feet bottom, 40 at the water line, and 4 feet depth. With these dimensions, the mean velocity answering to a discharge of 128 feet per second, will be 11.3 inches, which being determined, it now only remains to ascertain the declivity to which this velocity is practically due.

For this purpose we have the choice of several methods invented by scientific men, from the result of a vast number and variety of experiments. That of Du Buat is among the most elaborate, and has generally been esteemed the most exact: it is, however, more particularly adapted to the motion of water in conduit pipes, and small confined channels than to that of a large open canal. For the latter, the formulæ of Eytelwein is to be preferred, as well for its extreme simplicity as for its accurate accordance with recent observations in cases of this kind. By this formulæ, with the numerical factor assigned to it by Eytelwein himself, and which agrees extremely well with some of the best observations, I found the declivity answering to the velocity above mentioned, 2.1 inches per mile; but that there might be no danger of falling below the proper limit, I obtained a new co-efficient from the more unfavorable experiments of Du Buat and others, and by substituting it for that of Eytelwein, obtained a declivity of 2.75 inches per mile, which agrees very nearly with that obtained by Du Buat's own formulæ. This, therefore, may be taken as the declivity which the surface of the feeder will take, when the discharge through its section is 128 cubic feet per second; and if a few inches be added, to produce the initial velocity at the point of derivation, the whole will correspond very nearly with a declivity of 3 inches per mile, which is therefore adopted.

I have thus gone through these calculations without having, as yet, taken any notice of the requisition of the law, by which the capacity of the feeder is limited at 221 cubic feet per second. It will be seen from what has been said, that this limit is founded on too favorable a view of the supply of French creek, and too unfavorable a view of the demands of the canal; but if it should be thought necessary to conform to it, it may still be done at any fu-



ture time, by merely drawing down two or three feet from the level of Conneaut lake, and adding as much more to the dam on French creek. In this way a declivity will be obtained, whenever the water of French creek is sufficiently abundant, answering to the discharge of 221 cubic feet per second, and in like manner, may be obtained any intermediate discharge which may be thought necessary. The map which accompanies this report, exhibits the line of the feeder, laid down by means of the cross levels, agreeably to the foregoing principles. It is graduated to an eight feet level at the foot of the Conneaut lake, and ascends uniformly, at the rate just determined, to the feeder dam on French creek.

The entire length, is a small fraction less than 22 miles, and the acclivity on this distance, added to the eight feet at the lake, gives the height of the required head of water at Bemis' dam,  $13\frac{1}{2}$  feet above the present surface of Conneaut lake, or  $7\frac{1}{2}$  feet, nearly, above the sill of the wheel-gate at the mill. Considering the specification of the route as sufficiently minute for present purposes, as delineated on the map, it only remains for the completion of the duty assigned me to present the following

### ESTIMATE,

*Commencing with the works at Bemis' Mill, and terminating at the foot of Conneaut Lake.*

<b>ITEM 1. The Dam.</b> —875 yards total length, having a paved waste of 150 feet, walled with dry masonry, and supported with buttresses of masonry, laid in mortar.			
Dry masonry, viz. 400 perches at \$1,	400	00	
988 at 75 cts.	741	00	
Masonry in mortar, viz. 241 perches at \$2 00	482	00	
Filling-in with gravel and clay, 7,545 cubic yards, at 15 cents,	1,128	75	
Paving 550 square yards, at 90 cts.	495	00	
Pilage, apron, &c.	225	00	
Stream lock and buttresses, 8 feet lockage at 800,	6,400	00	
			9,871 75
<b>ITEM 2. Regulating lock.</b>			
Excavating,	80	00	
658 perches masonry at \$3 00,	1,974	00	
382 2 50,	955	00	
Sheet, piling, gates, &c.	480	00	
Paving 1650 square feet at 20 cts.	330	00	
			3,819 00
<b>Total estimate for the work at Bemis' dam</b>			<b>13,690 75</b>

Here follows 1st. the estimate for the route on the western shore of French creek.

**Item 3.** From the dam to the Cassawaga embankment, 446 perches, generally improved second bottom, gentle slopes, soil inclining to sand, very easy digging.

Excavation on 446 perches, x section = 15

yards = 36,875 cubic yards, at 7 cts. 2,581 25

Extra cutting on on 240 yards = 4,080 yds.

at 8 cents, 326 40

Puddling 19,430 square yards, at 6 cts.. 1,165 80

Two culverts, 3 feet chord, 612 00

Three farm bridges at 140 each, 420 00

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5,105 45

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**Item 4.** Cassawaga embankment, 54 perches in length, average height 6 feet.

19,505 cubic yards, at 12 cents, 2,316 60

Puddling 4,158 square yards at 6 cts. 249 48

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\$2,566 08

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**Item 5.** Aqueduct across Cassawaga creek, and the back water of Hindekoper's mill pond.

*1st Estimate for a stone aqueduct of one arch  
30 feet chord and 6 feet rise.*

740 perches masonry, at \$3 00, 2,220 00

348 2 50, 870 00

Pilage, centering, machinery, &c. 868 00

Tow-path, bridge, railing, &c. 112 00

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\$4,070 00

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*2d Estimate for an aqueduct with a wooden trunk.*

384 perches masonry, at \$2 75, 1,056 00

240 at 2 00, 480 00

Pilage, machinery, &c. 538 00

Wooden trunk, tow-path, bridge, &c. 690 00

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\$2,764 00

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<b>ITEM 6.</b> From the crossing of Cassawaga, to Kennedy's bridge, 541 perches, chiefly along the face of a steep bank, medium digging.	
Grubbing on 155 perches at \$20, per acre,	110 00
Excavation on 72 perches x section 19 yards = 7534 yards, at 8 cents,	602 92
Excavation on 270 perches, strong side cutting, x section 24 yds. = 35,640 yds. at 9 cents,	3,207 60
Dry wall, viz: 12,871 perches, at 75 cents,	9,653 25
Extra embankment near Kennedy's bridge = 5015 yards, at 12 cents,	365 80
Puddling, viz. 11,880 superficial yards, at 6 cents.	712 80
Two culverts of 3 feet,	612 00
One road bridge,	250 00
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	15,509 57

<b>ITEM 7.</b> From Kennedy's bridge to Vanhorn's run 364 perches, improved bottom, chiefly meadow, gentle slopes, and very good digging.	
Excavation on 538 perches, x section 15 yds. = 27,885, at 7 cents	1,951 95
Embankment on 26 perches, average height 4 feet, 6,006 yards,	600 60
Puddling 6,776 square yards, at 6 cents,	406 56
Two culverts of 3 feet,	612 00
Three bridges, viz. 1 at 400, 1 at 250, and 1 at 140 dollars.	790 00
	<hr/>
	\$4,361 11

<b>ITEM 8.</b> Crossing Vanhorn's run, and the adjacent bottom—37 perches.	
Embankment on 37 perches, average $7\frac{1}{2}$ feet 16,958 yards, at 12 cents,	2,034 96
Culvert, 10 feet, semi-circle,	734 00
Puddling, 2,849 superficial yards, at 6 cents,	170 94
	<hr/>
	\$2,939 90

<b>ITEM 9.</b> From the right bank of Vanhorn's run bottom, to Telton's station, No. 152, (at the commencement of the steep bank,) 278 perches—gentle sideling ground—undulating in some places—white oak land—medium digging.	
Grubbing on 244 perches, at 30 per acre	260 00
Excavation, on 264 perches, x section 19 yards, = 27,588 cubic yards, at 9,	2,482 92

Embankment on 14 perches, 3,850 yards, at 10 cents,	385 00
Puddling 8338 square yards, at 6 cents,	500 28
Five culverts, average chord, 4 feet, at \$356,	1,780 00
	<hr/> 85,408 20

Item 10. From station, No. 15, to the left bank of Wilson's run bottom; 352 perches, along the face of a steep bank—198, being second bank, and the remainder high hill. The excavation and embankment of the latter, to be supported with walls of dry masonry, with a slope of one fourth, and the water-ways of the canal, reduced to 33 feet, at the water line, and a depth of  $4\frac{1}{2}$  feet, with a paved slope of forty-five degrees, on the side of the tow-path. The embankment only to be revetted, where the canal passes along the second bank.

Grubbing on 352 perches, at 30 per acre	360 00
Excavation on 198 perches, x section, 26 yards, = 28,304 cubic yards..	
Excavation on 154 perches; 6 section, 18 yards, = 15,248	

Total, 43,552 at 9 cents,	3,919 68
Dry wall, viz. 21,659 perches, at 75 cents,	16,244 25
Four culverts, average 4 feet chord, at 356 dollars,	1,424 00
Paving 1,694 yards of inner slope, at 45 cents,	762 80
Puddling 1,386 square yards, at 6 cents,	83 16
Tow-path railing, at 1 dollar per perch,	852 00
	<hr/> \$ 23,145 39

Item 11. Crossing Wilson's run and the adjacent bottom—70 perches.

Embankment on 70 perches, average height, 9 feet, = 38,500 cubic yards, at 12 cents,	4,620 00
Culvert, viz. 10 feet semi-circle,	734 00
Puddling 5,290 square yards, at 6 cents,	317 40
	<hr/> \$5,671 40

Item 12. From the right bank of Wilson's run bottom, to Telton's station, No. 82, 188 perches—gentle slope to the left—oak land medium digging.

Grubbing on 144 perches, at 30 dollars per acre,	144 00
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Excavation on 176 perches; x section 18 yards =17,424 cubic yards, at 9 cents,	1,568 16
Embankment, on 12 perches, 7,520 yards, at 10 cents,	752 00
Three culverts, viz. one of 4½ feet, and 2 of 3 feet,	968 00
Puddling, 3,700 square yards, at 6 cents,	222 00
One Farm bridge,	140 00
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	\$3,798 16

ITEM 13. From station, No. 82 to No. 73—168 perches, comprehending the steep hill side, below Wilson's run. Groth, black and white oak—soil, moderately easy of excavation. Canal to be modified, as in item 10.

Grubbing on 168 perches,	180 00
Excavation on 168 perches; x section, 18 yards = 16,632 cubic yards, at 8 cents,	1,330 50
Dry wall viz., 13,860 perches, at 75 cents,	10,395 00
Paving 1848 square yards, at 45 cents,	831 60
Puddling, viz. 8,16 square yards, at 6 cents	498 96
Five culverts, of 3 feet each,	1,530 00
Tow path railing, at \$1 per perch,	168 00
	<hr/>
	\$14,934 00

ITEM 14. From the station, No. 82, to the junction of the eastern and western routes, on Herrington's farm, 792 perches—part undulating, the remainder sideling to the left, and rather steep, oak land partly cleared, about half medium digging, the rest easy.

Grubbing on 501 perches,	516 00
Excavation on 543 perches, x section 20 yds. 57,530 cubic yards, at 8 cents,	4,602 40
Excavation on 155 perches, x section 28 yds. 23,870, at 9 cents,	2,148 30
Embankment on 24 perches, 9,966 yds at 10 cents,	996 60
Dry wall on 45 perches, 990 perches, at 75 cents,	742 50
Puddling, viz. 15,400 square yards, at 6 cts.	924 00
Seventeen culverts, viz. 2 of 6 feet, 5 of 4 feet, and 10 of 3 feet,	5,654 00
Two bridges, viz. 1 road bridge 250 and 1 farm bridge, 140 dollars,	890 00
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	\$15,973 80

## SUMMARY

*Of the estimate for the Western Route, down French Creek.*

ITEM 3. From the dam to the Cassawaga,	85,105 45
4. Cassawaga embankment,	2,566 08
5. Cassawaga aqueduct,	4,070 00
6. From the Cassawaga to Kennedy's bridge,	15,509 37
7. From Kennedy's bridge to Vanhorn's run,	4,361 00
8. Crossing Vanhorn's run	2,939 90
9. From Vanhorn's run to the commencement of steep bank,	5,408 20
10. Along the steep bank to Wilson's run,	23,145 39
11. Crossing Wilson's run,	5,671 40
12. From Wilson's run to Telton's station, No. 82,	5,798 16
13. Along the steep bank from No. 82 to No. 73,	14,934 06
14. From No. 73, to the point of concourse of the two routes,	15,973 80
Total for the western route,	<u>8103,482 92</u>

Here follows, secondly, the estimate for the route on the east shore of French creek:

ITEM 15. From the dam to the level picket, No. 246, 330 perches, through a meadow bottom, partly at the foot of the second bank—clay soil—very easy digging.	
Excavation and embankment, mean x section	
20 yards, 36,300 yards at 7 cents,	2,541 00
Two small culverts,	612 00
Two road bridges, at 2,50,	500 00
	<u>83,653 00</u>

ITEM 16. From the level picket, No. 246 to No. 236, 180 perches, along the face of a steep second bank, washed by the floods of French creek—soil, clay and gravel, resting upon sand stone and schist.	
Grubbing,	90 00
Excavation on 180 perches, x section 20 yds.	
= 19,800 at 8 cents,	1,584 00
Dry wall, average 8 ft. = 3960 perches, at 62½ cents,	2,475 00
Three small culverts,	918 00
Puddling, viz. 693 superficial yards, at 6 cts.	415 80
	<u>85,482 80</u>

Item 17. From picket No. 236, to a point 7 perches south of the position between 233 and 234, 142 perches, partly along the face of a second bank, of moderate declivity; the remainder meadow bottom—easy digging.

Excavation on 134 perches, x section 18 yds.

= 13,266 cubic yards, at 8 cents, 1,061 28

Embankment on 8 perches—2442 yards, at 10 cents,

244 90

66 perches dry wall, at 75 cents,

49 50

Three culverts average 4 feet chord,

1,068 00

Puddling, viz. 3388 square yards at 6 cents.

203 28

Reforming 350 perches of common road, occupied by this and the preceding sections, at 2.50 per perch,

875 00

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33,502 26

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Item 18. From the point seven perches south of position 233—to the bank south of M'Gaw's mill, crossing the tail-race, 76 perches—deep side cutting along the wash bank of French creek—mellow soil.

Excavation on 70 perches, x section 45 yards

= 17,325 yards at 7 cents, 1,212 73

Dry wall on 76 perches to 2 ft. above extreme flood = 3550 perches at 1 cent,

3,550 00

Loose rubble to be thrown down at the base of the wall, 1920 perches at 50 cents,

960 00

Puddling, viz. 3850 square yards at 6 cents,

231 00

One culvert of 8 feet, and one of 3

866 00

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36,819 75

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Item 19. From M'Gaw's mill to the level picket, No. 216, 467 perches, passing through the village of Meadville. Moderate deep cuttings near the mill, and at the south part of the village; the residue chiefly bottom land, gently inclined—strikes the second bank near the end—soil, loam and clay—easy digging.

Slight grubbing on 172 perches,

103 20

Excavation on 324 perches x section 14 yards,

24,948 yds.

Excavation on 74 perches x section 25 yards,

10,175

Excavation on 64 perches x section 36 yards,

12,320

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47,443 at 8 3,795 44

Embankment on 5 per. = 2310 yds. at 12 cts.

277 20

12 ft. culvert at mill run, 381 perches at 2.50,

952 50

Five small culverts at 3.06 each,

1,530 00

Puddling 2420 square yards at 6 cents,	145 20
Thirteen bridges—average 250 dollars,	3,250 00
	<hr/>
	\$10,053 54

**ITEM 20** From the Picket No. 216 to No. 204, 454 perches along the face of the second bank, generally steep, but of easy excavation. Bottom on the right, and from 10 to 15 feet below.

Grubbing,	80 00
Excavation and embankment on 414 perches x section 19 yards = 43,263 yds. at 8 cts.	3,461 04
Embankment on 40 perches = 11,440 yards at 10 cents,	1,144 00
Dry wall, viz. 5531 perches at 75 cents,	2,648 25
Eight culverts, average 4 feet chord,	2,848 00
Puddling, viz. 16,742 square yds. at 6 cents,	1,004 52
Three bridges, viz. 1 at 400 and 2 at 140 dol- lars each,	680 00
Re-forming 430 perches of road occupied by this and the preceding section, viz. 180 perches, at 6,00 and 250 at 2,50,	1,705 00
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	\$13,570 81

**ITEM 21.** From the picket No. 204 to No. 191, 391 perches. This section rather uneven on the first and last part, but generally favorable—all improved, and of easy excavation.

Excavation on 302 perches x section 15 yards,	24,915 yds.
Excavation on 62 perches x section 30 yards,	10,230
Excavation on 4 perches x section 45 yards,	990
	<hr/>
	36,135 at 8
Embankment on 25 perches, 8,278 cubic yds. at 10 cts.	2,890 80
Six culverts, average four feet span,	827 80
Puddling, viz: 15,080 square feet, at 6 cts.	2,136 00
Three bridges, viz: 1 at 250 and 2 at 140 dolla.	784 80
	530 00
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	\$7,169 40

**ITEM 22.** From picket, No. 191 to No. 175, 527 perches—ground generally regular—soil rather stoney in one or two places—otherwise good—chiefly improved.

Grubbing on 202 perches,	116 00
Excavation on 462 perches, x section 17 yds. = 43,197 yards, at 9 cents,	3,887 73



Extra depth on 40 perches, x section 66 yards = 14,520 yards, at 10 cents,	1,452 00
Embankment on 25 perches=7,520 cubic yds. at 12 cents,	902 40
Four culverts, viz: 2 of 4 and 2 of 3 feet chord,	1,324 00
Puddling, viz: 14,938 square yards, at 6 cents,	896 28
Three farm bridges,	420 00
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	\$ 8,998 41

Item 23. From picket No. 175 to No. 158, 312 perches;—surface uneven; growth, black and white oak—soil, rather stoney.

Grubbing on 179 perches,	115 20
Excavation 220 perches x section 22 yards= 26,620 yards.	
Extra depth on 40 perches x section 66 yards= 14,520	
	<hr/>
41,140 at 10 cents,	4,114 00
Embankment on 53 perches, at 5 feet, 15,158 yards, at 10 cents,	1,515 80
Six culverts, viz: 2 of 4 feet, and 4 of 3 feet,	1,936 00
Puddling, viz: 9,240 square yards, at 6 cents,	554 40
Three farm bridges, at 140,	420 00
	<hr/>
	\$ 2,540 20

Item 24. From picket No. 158 to the crossing of French creek, 125 perches;—the first 46 a high bank of the creek, exposed to slips—the remainder steep, sideling ground—oak—soil generally good digging,

Grubbing,	88 40
Excavation on 80 perches, (modified profile) x sec- tion 15, yards 6,600	
Excavation on 46 perches x section 40 yards, 10,120	
	<hr/>
16,720 at 18 cts.	1,837 50
Dry wall, viz: 6,930 perches, at 7½ cents,	5,197 50
Paving, viz: 880 square yards, at 25 cents,	220 00
Puddling, viz: 6,238 yards, at 6 cents,	374 28
Two culverts,	612 00
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	\$ 7,829 78

Item 25. The aqueduct, viz: of stone—three arches of 72 feet, clear span and 12 feet rise—piers 12 feet—total length of water-way 264 feet—water-way 30 feet wide and 4½ deep.

Masonry, viz: foundation, wings and spandrels, 3,840 piers, at \$3 50,	9,600 00
Piers and abutments, 2,400, average \$3 00,	7,200 00
Arches, head-walls and parapets, 1,622 at \$50,	5,677 00
Coping, viz: 2,640 square feet, at 75 cents,	1,980 00
Flag pavement, viz: 7,920 square feet at 50 cents,	1,584 00
Cribs, grillage sheet piling, &c. for abutments and piers, 350 each,	1,400 00
Centering and machinery, 1,200 per arch,	3,600 00
Iron railing, 5,280 lbs. and iron bolts, cramps, &c. 6,000 lbs. 11,280 at 10,	1,128 00
	<hr/>
	\$ 32,169 00

**REMARK.**—The above, or some similar structure of stone or iron is particularly recommended for the site, on account of its superior *permanency* and *stability*. A wooden superstructure would probably reduce the first expense to about 20,000 dollars; but the inferiority of this material, in these respects, renders it particularly objectionable on a line of a *feeder*, upon which the navigation on the whole line of canal essentially depends.

<b>ITEM 26.</b> From the western extremity of the aqueduct to the junction of the two routes, as before specified; comprehending an embankment across the western bottom of French creek;—soil sandy, and very easy digging.	
Grubbing on 79 perches,	82 00
Excavation on 113 perches, x section 18 yds. = 11,088 yards, at 7 cents,	776 16
Embankment on 60 perches—average height 15 feet=60,390 yards, at 12 cents,	7,246 00
One culvert of 8 feet chord, at the foot of the second bank,	560 00
Puddling, viz: 13,244 square yards at 6 cents.	694 64
	<hr/>
	\$ 9,858 80

### SUMMARY,

*Of the Estimate of the Eastern Route, down French creek.*

<b>ITEM 15.</b> From the dam at Bemis' mill to Picket No. 246,	3,553 00
16. From No. 246 to No. 236,	5,482 80
17. From No. 236 to the deep cutting above M'Gaws mill,	3,502 26
18. From deep cutting, &c. at M'Gaws mill,	6,819 00
19. From M'Gaw's mill, through Meadville, to No. 216,	10,053 54
20. From No. 216 to No. 204,	13,570 81

ITEM 21. From No. 204 to No. 191,	7,169 40
22. From No. 191 to No. 175,	8,998 41
23. From No. 175 to No. 158,	8,540 20
24. From No. 158 to the crossing of French creek,	7,829 78
25. The aqueduct,	32,169 00
26. From the aqueduct to the junction of the two routes,	9,358 80
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Total for eastern route,	\$117,047 00
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Which gives an average of about 8,000 dollars per mile, after deducting the expense of the aqueduct and embankments, at the crossing of French creek.

REMARKS.—By comparing the estimates of the two routes, it appears that the expense of that on the east side, including an aqueduct of stone, will exceed that on the west, by \$18,564, and it may be added, that the assessment of damages on the east side, from the superior value and improvement of the land, will also, in all probability, exceed that on the west. But, on the other hand, there are several considerations, of no small weight, in favor of the eastern location. In the first place, passing through a more settled country, and particularly through the village of Meadville, it will more effectually accommodate the local interests of that vicinity, than the route on the west side, a considerable portion of which passes along the slopes of high and steep hills, having very little capacity for improvement. Secondly; from this character in its topography, the route on the west side is more exposed to expensive contingencies, both in the construction and maintenance of the canal, than that on the east. Thirdly; the navigation of the upper part of French creek, can be most conveniently and safely connected with the location on the east side; and it is believed that an improved navigation on the lower part of the same stream, may also be most advantageously combined with such a location. Under these circumstances, the eastern shore, notwithstanding the additional expense, seems entitled to the preference; but as the subject involves other considerations than those of mere art, I submit it respectfully to the consideration of the board. and proceed, without further delay, to the remaining particulars of the estimate.

ITEM 27. From the junction of the two preceding routes, to the end of the 10th mile from Conneaut Lake, 595 perches. Sidelong upland, undulating in some places, partially cleared; soil sandy, and very easy of excavation, except a small proportion of stoney oak land.	
Grubbing on 270 perches,	\$ 285 00
Excavation on 477 perches, x section 15 yards = 39,353 yards, at 8 cents,	3,148 24
Extra depth on 20 perches; x section 20 yards = 4050 yards, at 8 cents,	326 00

Embankment on 88 perches = 39,430 yards,	
at 10 cents,	3,943 00
Six culverts, viz. 3 of 4 feet, and 3 of 3 feet,	1,936 00
Puddling 21,000 square yards, at 6 cents,	1,260 00
Two bridges, viz. 1 farm and one road bridge,	390 00
Double stop gate and draught gates, as in item	
82,	1,175 00
Weir, as in item 33,	511 60

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\$ 13,044 84

**Item 28.** From the end of the 10th mile, to the beginning of the 9th, from Conneaut lake, 640 perches; sideling upland, slightly undulating, about half loam and clay; the remainder white oak land, rather stoney, generally cleared.

Grubbing on 190 perches,	\$ 195 00
Excavation on 484 perches; x section 16	
yards = 42,592 yards, at 9 cents,	3,833 28
Extra depth on 66 perches; x section 28	
yards = 10,164 yards, at 9 cents,	914 76
Embankment on 90 perches; average four	
feet = 20,790 yards, at 10 cents,	2,079 00
Ten culverts, av. 4 feet, at \$356,	3,560 00
Puddling, viz. 21,000 square yards, at 6 cents,	1,260 00
Four bridges, viz. 1 at 400, 1 at 200, and 2 at	
140,	880 00

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\$ 12,722 04

**Item 29.** From the end of the 8th mile, near M-Fadden's, to the left (upland) bank of Watson's run, 1080 perches sideling, very regularly and gently to the left; 1½ miles cleared and improved, chiefly in meadow, the remainder wooded with oak, sugar maple, hickory, and black walnut, soil chiefly rich loam, resting upon clay.

Grubbing on 680 perches,	700 00
Excavation on 970 perches; x section 16	
yards = 85,360 yards, at 8 cents,	6,828 80
Extra depth on 43 perches; x section 33	
yards = 8,712 yards, at 8 cts.	696 96
Embankment on 62 perches = 13,180 yards,	
at 10 cts.	1,318 00
Eighteen culverts, av. 4 feet, \$355,	6,408 00
Puddling, viz. 15,400 square yards, at 6 cts.	924 00
Eight farm bridges, at \$140 each,	1,120 00

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\$ 18,095 76

**Item 30.** Crossing Watson's run, and adjacent bottoms.

Grubbing,	30 00
Embankment on 36 perches, av. 7½ feet = 16,640	
yards, at 12 cts.	1,996 80
Excavation on 42 perches; x section 14	
yards = 3,234 yds. at 7 cts.	226 00

Two culverts, av. 6 feet, at 457,	914 00
One do. of 20 feet span, 5 feet rise, viz.	
Masonry 410 perches, at 2 75,	\$1,127 50
do. 372 do. 1 62½	604 50
Excavations, centering, &c.	344 00
	<hr/> 2,076 00
Puddling, viz. 6160 yds. at 6 cts.	369 60
Clearing the channel of Watson's run,	300 00
	<hr/> \$5,912 40

ITEM 31. From the termination of the embankment of Watson's run, to the east end of the second mile from Conneaut lake, 760 perches—white oak, hickory, and maple upland, sideling to the left; soil loam and clay.

Grubbing on 675 perches	765 00
Excavation on 510 perches; x section 15 yards =	29,568
Excavation on 144 per. x sec. 80 yards =	23,760
Excavation on 106 per. x sec. 40 yards =	22,600

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73,928, at 8 cts. 6,074 24

Eight culverts, average 4 feet at 356 dollars	2,848 00
Extra labour at 5 short embankments, viz.	
3500 yards, at 10 cents,	350 00
Puddling, viz. 1400 square yards, at 6 cents	840 00
Two farm bridges, at 140 each,	280 00

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\$11,157 24

ITEM 32. From the end of the second mile to the outlet bridge, near Cummings' tavern, foot of Conneaut lake, 620 perches. A small proportion of swail, and about half a mile side-liding ground; the remainder rich level bottom—growth, hard maple, and bass wood, with some pine and hemlock—soil, loam and strong clay. (It is not improbable, that a more direct route may be found for this portion of the line, farther south, at the expense, however, of a great proportion of embankment.)

Grubbing on 560 perches,	596 00
Excavation on 520 perches; x section, 15 yards, = 42,900 yards, at 8 cents,	3,432 00
Embankment, on 120 perches, average height 4½ feet, 31,020 yards, at 12 cents,	3,722 40
Four culverts, viz. 1 of 8 feet, 1 of 6 feet, and 2 of 4 feet,	1,729 00
Puddling, 9240 square yards, at 6 cents,	554 40

Double stop gate and draught, at the junction  
with the lake,

Masonry, viz. 246 perches, at an average of  
\$2 50, 615 00

Gates, sheet piling, foundations, &c. 560 00

1,175 00

\$11,208 80

Item 35. Dams, bridge, and weir, at foot of lake. The former  
constructed of best wharf work, filled in with clay, and  
gravel.

Dams, 3 in number, total length, 762 yards,  
average height 8 feet; 36,100 feet squared  
timber, laid at 2½ cents, 902 50

15,240 cubic yards, filling in, at 20  
cents, 3,046 00

3,950 50

Weir of 20 feet waste, dry wall and filled in  
with clay and gravel, with buttresses of ma-  
sonry 56 perches, dry wall, at \$1, 56 00

104 perches masonry, in mortar, at \$2, 208 00

168 yards, filling in, at 20 cents; and

50 square yards pavement at 45  
cents, 49 60

Pilage, apron, tow bridge, &c. 198 00

511 60

Road, bridges, and embankment,

1,200 00

\$5,662 10

### SUMMARY

*Of the estimate from French creek, to the foot of Connecticut lake,  
including dams, weirs, draught-gates, &c. at the latter.*

Item 27. From the junction of the French creek,  
route, to the end of 10th mile, 13,044 84

28. From the end of 10th mile, to the beginning  
of the 9th, 12,722 04

29. From the end of the 8th mile, to Watson's  
run, 18,095 76

30. Crossing Watson's run, 5,912 40

31. From Watson's run to the end of the 2d  
mile, 11,157 24

32. From the end of the 2d mile to foot of Conne-  
aut lake, 11,208 80

33. Dams and other works, 5,662 10

\$77,803 18

Which, by excluding the cost of the works at Conneaut lake, gives the the average cost, on this part of the line, at about 6000 dollars per mile.

The expense of the entire feeder may now be summed up as follows :

1. Works at Bemis' mill, on French creek,	13,690 75
2. Construction of the feeder down the valley of French creek, by the eastern route, (aqueduct included,)	117,047 00
3. Construction of the feeder from French creek, to Conneaut lake, and the works at the latter,	77,893 18
	<hr/>
	208,540 83
Add for fencing, at 240 per mile,	5,280 00
And for engineering and superintendence,	18,000 00
	<hr/>
	3231,820 83
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This estimate supposes the works to be constructed, according to the last models, and in the most durable and substantial manner. If it should appear large, it will be recollected that several items of *extraordinary* expense are also embraced in it, such as the works at Bemis' mill, the crossing of French creek, the crossing of Watson's run, and the dams at the foot of Conneaut lake—and if these be deducted from the total estimate for construction, the remainder will not exceed an average of 6,500 dollars per mile.

I have not thought it necessary, in the preceding plans and discussions, to introduce the consideration of the water power, which will be created at Meadville, and elsewhere down the valley of French creek, by means of the feeder. The surplus water of the creek may not, indeed, during the height of dry season, be equal to the maintenance of a very efficient power, but will be very abundant at all other seasons of the year; and having a fall of 20 feet, at Meadville, and of from 20 to 30 feet, at the places below, will afford a very commanding and valuable power for mills and machinery. The additional volume for this purpose, can be thrown into the feeder, either by raising the head of water at the dam, or by increasing the transverse dimensions of the canal, and in either case without any great augmentation of the expense.

In addition to the surveys and measurements heretofore detailed, it may be proper here to observe, that accurate surveys were also executed of all that part of French creek, between Dixons mill dam (four miles above Meadville,) and the mouth of Conneaut outlet, and of the latter as far up as Hart's bridge; from which, together with the survey of Conneaut lake, and across the dividing ridge, and of the different level lines, the map accompanying this report, has been chiefly delineated.

It was my intention, after closing my line at Bemis' mill, to have executed some further levels in that vicinity, and at Con-

neaut lake, particularly with reference to the question of a summit level, independent of the latter; but unfortunately, in proceeding to the lake for that purpose the levelling instrument, which was extremely infirm, and had been on that account, the subject of extraordinary care and caution during the whole survey, became so much impaired as to render any further use of it wholly impracticable. At this point, therefore, my operations were necessarily brought to a close.

It only remains, in closing my report, to do justice to the zeal and ability of my assistants Messrs. Brown, Fulton and Le Barron, the first as principal assistant and draughtsman, the second as surveyor, and the third as an assistant with the level. The alacrity with which they, and indeed every member of the party, co-operated in pressing forward the operations of the survey, enabling me to complete them within the period to which my attendance was necessarily restricted, deserves a grateful acknowledgment on my part, and I trust will secure to them the just commendations of the board.

All which is respectfully submitted.

D. B. DOUGLASS.

*U. S. Military Academy,*  
*West Point, Jan. 1, 1827.* }

### No. 3.

**Report on the survey along the Allegheny, from the mouth of the Kiskeminetas to the mouth of French creek, by James Geddes, Esq.**

*To the Board of Pennsylvania Canal Commissioners.*

GENTLEMEN:

Pursuant to your instructions, a survey of a line of canal along the Allegheny river from French creek to Kiskeminetas, has been made. Calculations thereon, with maps, profiles, &c. are respectfully presented.

That part of the river Allegheny, above mentioned, runs not in a valley, like other rivers, but in a deep bed, far below the general surface of the country, making its way at the foot of precipitous rocky steeps, which form either one shore or other, in almost the whole of said distance. There are few places where shores opposite are both rocky, one side being hills covered with oak, and rising from the water's edge, at a slope of one or two hundred feet in



forty perches. In some places a margin of two or three rods wide is low enough to be covered by the floods, and these flats are seldom of greater extent: this stream is very favorable, therefore, for improving by dams and locks, so little land would be inundated, the almost insuperable objection to damming other rivers. And there are certainly few streams more difficult to be improved by a side cut. The navigation of the river being perfected, as it may be, at a small expense, steamboats would be preferable to any other mode of navigating it, as towing paths would be of little use on a stream, the floods of which are 20 and in many places 50 feet above its low water surface. The steep rocky shores change sides of the river frequently, seldom remaining on the same side for a length of two miles in any one place. Rocks of immense size lie at the foot of these steeps, evidently "time-fallen," having been dislodged from above, by the action of the frosts. Some have fallen into deep waters—a single rock of a size sufficient to build a lock; they are sand stone, and cleave readily in any direction. Of this sand-stone the fine Pittsburg glass is made; the manufactory is taken from near the mouth of the Clarion, the rocks there being freest from impurities. Where a stream issues from a chasm in the shore, there is often a shallow place, and a fall in the river of three or four feet. A remarkable characteristic of this river is, its consisting altogether of long sheets of deep, still water, separated by short shallows, seldom exceeding twenty or thirty rods in length. Whenever the river washes the steep mountain's base, it is deep on that side, with few exceptions, the same degree of steepness continuing under the water, that is to be seen above it, though a beach is formed by the debris of the mountain, in most places; the pebbly shore on the opposite side, is invariably shallow.

The levelling, which was on the west side of the river, was carried along at the base of the very steep mountains, from rock to rock, at the water's edge, and in one place, for about a mile, it could not be done on that side of the stream, and was performed on the east side.

In conducting a canal on the margin of the Allegheny river, the great difficulties to be overcome, will be along the face of the rugged steeps above described. To save expenses, the level that would just put the canal above the reach of the high floods, ought to be pursued, as much as the situation of the locks will allow of. Whether the canal, in such situations, is supported by masonry or by a bank based in the river, the lower the level on which the canal is carried, the less expensive will the walls or banks be; the canal is therefore in every place, laid but little above the river level, and mostly close to its banks, compelled to follow it through all its sinuosities. Walling is the only method where the mountain is not only steep, but an impenetrable mass of rocks. Another case occurs, where walls are the only safe mode: Large slips, from fifty to seventy feet above the river level, have taken place in many spots, and threatening appearances of more, are visible; in such places it would be dangerous to penetrate the mountain, for stuff to

form a bank; and a wall to contain the canal between it and the menacing steep, is the only security against these disastrous slips.

Some miles of canal are estimated at nearly fifty thousand dollars. The most expensive section (length half a mile and eight rods,) of canal, in the Mohawk Valley, in the state of New-York, cost twenty-four thousand dollars—no locks or aqueducts in either case. The vast masses of rock along the Allegheny, which can be removed by blasting only, will swell the item of powder to a great amount; and there are many places where little earth is to be found on the line where the canal must run.

About seven and a half miles above Kittanning, argillaceous slate is seen, composing part of the perpendicular shore, in the cliffs of which, plume allum presents itself.

The mineral wealth of the Allegheny country, is very important. Salt, iron and coal, are obtained in many places, on the part of the river which has been surveyed. The salt-water is found chiefly below the mouth of Mahoning creek; and little coal is got above the mouth of Clarion river; but the iron is every where. Furnaces are in operation at Bear creek, Scrub-grass creek and Sandy creek. The quality of the ore on French creek, is considered suitable for bar-iron, and a forge is now erecting near Franklin. Of the agricultural products of the country, little can be said, and little may be expected. Mineral oil is collected, but not in large quantities, under the bank, at the west side of the river, in the third mile.

There is no supply of water from land streams, that can be taken into a canal on the west side of the river, between Sandy creek and Kiskeminetas. Big and Little Scrub grass and Bear creek yield no water, in a dry time, worth conveying to a canal. The supply of water to the proposed canal may, notwithstanding, be furnished in great abundance. French creek, from the pond of the forge now erecting, may be thrown in (and if a canal be continued up French creek,) with great facility, and in quantity far beyond the requisite demand. Sandy creek, through a feeder of no great length, (see No. 2, in the atlas,) is all at command, and a fine stream at all times. In the eighteenth and nineteenth miles, the river falls eight feet and a half in nine hundred and thirty-five yards; and a wall of timber and stone, running parallel with the shore, and made water tight, for said distance, would afford a water power sufficient to throw up water twenty-three feet high, the elevation of the canal above the river surface at that place.\* Running said wall at a distance of fifty or sixty feet from the shore, much spare water might be had, which would be of great value, in a country so very destitute of water power, as an extensive region here is. There is not, on the portion of the river surveyed, any ten miles together, that water may not readily be raised in this manner; and at every place the spare water would be of great importance

to the surrounding country; besides adding to the revenue of the canal, by leasing or selling water rights.

Making such a wall, half a mile long, and of an average height of six feet, would cost, when gravelled, about one thousand dollars. The massive walls necessary to protect from floating ice, a building to contain the machinery, would be a more serious item of expense, the cost of which would vary, as facilities of getting stone would vary in different places. A sum of five thousand dollars may be set down for each. These erections have not been planned strictly at equal distances from each other, as the waste from leakage and evaporation would direct, but are generally at places where the most fall can be obtained by the shortest wall. They are placed in the nineteenth mile, the thirty-first, the forty-first, the fifty-eighth, and the seventy third, making five in number amounting, at five thousand each, to twenty-five thousand dollars.

There are twenty-six pounds between the locks, on each of which a wastewier will be required.

The fall from the forge pond on French creek, to the mouth of Kiskeminetas is 258.48 feet. Take therefrom 23.48 feet, for fall in French creek, and there remains for the fall in the Allegheny river, two hundred and thirty-five feet from the mouth of French creek, to the mouth of Kiskeminetas.

Fencing will not be required on the towing path side, where there is walling, or where the outside of the bank is formed of rough stones, nearly perpendicular. The other side will need no fence where the canal runs along the face of the steep mountain. Fifty miles of fence, instead of one hundred and seventy-five miles, (the length of a fence on both sides,) is judged sufficient.

The following estimates, per mile, of the cost of common excavations, embankments, deep cuttings, aqueducts, culverts and bridges, with the Sandy creek feeder, has been made out by actually surveying and levelling a line, and locating all the locks. The amount of cubic yards to be moved, in each mile, was made out, and a value put upon each cubic yard, varying according to the nature of the stuff. The aqueducts, feeder, culverts and bridges, all varied in value, according to their respective sizes and situations.

#### ESTIMATES PER MILE, &c.

MILES.	DOLLS.	MILES.	DOLLS.
1st	3,819	11	16,800
2	22,792	12	4,999
3	47,520	13	35,200
4	4,292	14	34,405
5	42,246	15	3,600
6	4,405	16	14,463
7	8,748	17	10,489
8	27,548	18	23,310
9	27,550	19	8,810
10	4,460	20	15,485

# JOURNAL OF ESTIMATES, &c.—CONTINUED.

Feb. 9.

MILES.	DOLLS.	MILES.	DOLLS.
21	15,817	57	4,275
22	16,437	58	25,215
23	16,600	59	5,200
24	15,647	60	21,296
25	10,000	61	16,635
26	40,200	62	20,350
27	14,184	63	28,557
28	7,150	64	10,246
29	27,619	65	4,862
30	15,305	66	48,679
31	12,104	67	29,067
32	3,720	68	14,930
33	31,100	69	14,850
34	13,672	70	6,250
35	9,581	71	7,177
36	9,740	72	4,973
37	4,020	73	47,179
38	23,540	74	39,221
39	9,412	75	4,020
40	21,808	76	32,916
41	3,800	77	30,993
42	4,020	78	37,515
43	15,700	79	5,563
44	5,428	80	7,324
45	22,962	81	49,280
46	19,360	82	14,005
47	3,500	83	3,800
48	6,800	84	10,672
49	18,656	85	7,929
50	12,775	86	13,968
51	3,316	87	13,400
52	5,820	918 yds. of the 88th,	8,262
53	14,875		
54	21,120		<u>\$1,440,393</u>
55	14,380		
56	12,730		

*The whole cost will stand thus:*

For common excavation, &c. &c.	1,440,393
Lockage, 235 feet at 500 dollars per foot,	117,500
Five feeders, at 5,000 each,	25,000
Waste wiers, 25 at 50 each,	1,300
Fencing 16,000 perches, at 70 cents,	11,200
	<u>\$1,595,393</u>

Feb. 8

THE SENATE:

461

Total amount,	1,595,393
Add for contingencies, superintendence and engineers, 10 per cent.	159,539
	<hr/>
	1,754,932

All which is submitted with great respect, by your most obedient servant.

JAMES GEDDES, Engineer.

December 6th, 1826.

No. 4.

Report on a survey of the North Branch of the  
Susquehanna, by John Bennet, Esq.

*To the Board of Canal Commissioners of Pennsylvania.*

In pursuance of instructions received from judge Scott, a member of the board, to survey and examine the route for a canal from Northumberland to the northern boundary of the state, upon the Tioga or Chemung, and the Susquehanna rivers, after having been furnished with the requisite instruments, and having procured the necessary hands, and made provision for their sustenance and accommodation, I commenced the work on the 15th of July, at the state line, upon the Tioga river. I ascertained the elevation of the bank, and benched a hickory 20.195 feet above the surface of the water: thence I run a line of levels down the east bank of the river, 3 miles, 72.26 chains, and benched a locust, near the village of Athens; and 11 chains further benched a b. oak, upon the bank of the Tioga or Chemung river, 16.911 feet above the surface of the water. Whole distance run upon this river, 4 miles, 3.26 chains. Fall, 19.616 feet. Upon this line the ground is entirely alluvial, composed of clay, sand, and for several short distances, a mixture of gravel, in which clay predominates. But upon the west bank of the river there are 20 chains of rocky ledge, 36 chains of side-long hill, and the residue of the distance the ground is alluvial, and similar in texture to that on the east bank, which is the general character of all the alluvial grounds in the valley of the Susquehanna. In this distance there are two small rivulets only, on the west, and but one on the east side of the river.

I then commenced upon the Susquehanna, and ascertained the elevation of the bank, and benched a yellow pine, standing in the

state line, on the west bank of the river, 29.211 feet above the surface of the water: thence I extended a line of levels to the before mentioned b. o. near the village of Athens, and standing upon the east bank of the Tioga river, 4 miles 51.51 chains. Fall 13.296 feet to the surface of the water in the Tioga river. In this distance on the west bank, soil alluvial. On the east 10 chains sidelong hill, residue of the distance alluvial. Streams on the west, Shepherd's creek, a fine mill stream, 40 feet wide from bank to bank, and one small rivulet. On the east, two small rivulets.

I then extended a line of levels from the benched b. oak, crossing the Tioga above the bridge, and down upon the west side of the Susquehanna, 5 miles 51.7 chains. Fall 17.684 feet. Upon the west, soil alluvial. Upon the east, 50 chains nearly perpendicular rock, residue alluvial. Streams on the west, the Tioga, nearly 56 perches from bank to bank, and five small streams. Upon the east, two small streams. Thence down said river one mile 24 chains, Fall 2.026 feet. Soil, on the west, steep side hill, or mountain, composed of loose stone and gravel; upon the east side alluvial. Streams, on the west, none; upon the east, one small one. Thence 5 miles 37.1 chains. Fall 15.375 feet. The soil for one mile, 51.9 chains, is composed of large loose and shelly rock, nearly perpendicular; and 43 chains steep side hill, composed of loose stone and gravel; and the residue, of the distance of 3 miles, 42.2 chains, alluvial. Upon the east side, one mile. 24 chains, steep side hill, or mountain, loose stone and gravel; the residue of the distance alluvial. Streams, upon the west, four small rivulets, upon the east, one. Thence 3 miles 9.6 chains, to the village of Meansville, benched a yellow pine upon the bank of the river, near the court house, 21.166 feet above the surface of the river. Fall in the river, 8.979 feet. Upon the west, soil one mile 65.4 chains, side long hill, gravelly, and the residue alluvial. Upon the east side, 5 miles 10 chains, of steep side hill, composed of loose rock and gravel. Streams, upon the west, sugar creek, which is a fine mill stream, 50 feet wide, at the place where I crossed; it is 20 chains from main bank to bank; it is 10 chains in width a short distance higher up. There is one other small run at the town of Meansville. Upon the east, none.

I then continued my line of levels to Mean's ferry, 29.4 chains, where I crossed to the east side of the river, and extended my line 4 miles, 67.25 chains, through Wysox township. Fall 15.304 feet. Soil, on the east, alluvial, except 26 chains of steep hill, (with some slips) composed of a mixture of clay and gravel. On the west side, one mile and 20 chains of large loose rock, nearly perpendicular, and 51 chains of steep side hill; the remaining part of this distance alluvial. Thence six miles, 12.7 chains. Fall 17.574 feet. Soil, on the east, 25 chains, steep hill, partly rock, and partly clay and gravel, with some slips; 59.2 chains of steep side hill, composed of loose stone and gravel, the residue alluvial. On the west, one mile 20 chains, of rock, nearly perpendicular, (at Standing Stone) 75 chains of steep side hill. The residue of the distance alluvial. Streams, on the east, five small streams, and Romefields

creek, which is a considerable mill stream, 10 perches from bank to bank. On the west, Duval's creek, which is a small mill stream, and three small rivulets. Thence along Frenchtown mountain, 2 miles, 39.4 chains. Fall 9.801 feet. Soil, on the east, 2 miles, 3.4 chains, loose stone and clay of sufficient width for a canal. The residue alluvial. On the west, alluvial. Streams on the east, none. On the west (through Frenchtown) five small rivulets.

Thence 2 miles, 55.35 chains. Fall 2.4 feet. Soil on the east, alluvial. On the west, 30 chains of perpendicular work, or nearly so, and one mile 67 chains of side hill of loose rock and gravel, residue alluvial. Streams, on the east, 4 small rivulets. On the west, none. Thence 2 miles 40 chains. Fall 4.372 feet. Soil, 19 chains, ledges of loose rock, one mile 21 chains of steep side hill, the residue alluvial. On the west, soil alluvial. Streams on the east, one small one. On the west, four small rivulets. Thence 4 miles 35.75 chains. Fall 10.11 feet. Soil, on the east alluvial. On the west 36 chains of perpendicular rock, and one mile of slope side hill, composed of loose stone and clay. Streams on the east, Wyalusing creek, 25 perches from bank to bank, and 4 small rivulets. On the west, Little Sugar creek, and one small rivulet. Thence along the mountain above Wyalusing falls 3 miles 16 chains to the line between the counties of Bradford and Luzerne. Fall 6.701 feet. Soil 10 chains of ledges, two miles 66 chains gentle slope, composed of loose stone, rock and clay; residue alluvial. On the west alluvial. Streams on the east, one small rivulet; on the west, none. Thence (in Braintrim,) 3 miles 75.1 chains. Fall 5,455 feet. Soil, on the east, alluvial. On the west, 2 miles, 13 chains of steep side hill. Streams, on the east, Big Tuscarora creek, of considerable magnitude, 10 perches from bank to bank. Little Tuscarora about the same width, but not so strong a stream; also two small rivulets. On the west, three small rivulets. Thence 74 chains, fall 1,327 feet. Soil, on the east, 43 chains, part ledges and part loose stone and clay, with some slips; residue alluvial. On the west, alluvial. Streams, on the east, none; on the west one small rivulet. Thence 2 miles, 18.25 chains. Fall 5.048 feet. Soil, on the east, alluvial. On the west, one mile 43 chains, steep side hill, composed of loose stone, with gravel and clay. Streams, on the east, 2 small creeks, and two small rivulets; on the west, three small rivulets. Thence one mile, 34.1 chains. Fall 4,317 feet. Soil, on the east, 35 chains, steep, shelly rock, and 35 chains of steep side hill, composed of loose stones, clay and gravel; residue alluvial. On the west, two small rivulets; on the east, none. Thence 2 miles, 64.9 chains. Fall 2.655 feet. Soil, on the east, 22 chains of steep side hill, some loose rock, clay and gravel; the residue alluvial. On the west, one mile of ledges, nearly perpendicular, and 24 chains of steep side hill. Streams, on the east, the Mashopen, a fine mill stream, and two small streams; on the west, two small rivulets.

Thence one mile 40.2 chains. Fall 1.148 feet. Soil, on the east, 26 chains of ledge, and one mile, 36 chains, of steep side hill, composed of large stone, clay and gravel; on the west alluvial.



Streams, on the east, none; on the west, Little Mahoopeny creek, which is a good mill stream.

Thence 2 miles, 50.2 chains. Fall, (part of the Horse Race,) 8.655 feet. Soil, on the east, alluvial; on the west, one mile of ledges of loose rock. Streams, on the east, two small rivulets. On the west, Big Mahoopeny creek, upon which are a number of mills.

Thence one mile, 59.75 chains. Fall 4.625 feet. Soil, on the east, 50 chains of ledges, the residue steep side hills; on the west, alluvial. Streams, on the east, none; on the west, three small rivulets.

Thence 4 miles, 1.05 chains. Fall 8.587 feet. Soil, on the east, 20 chains—steep side hill; the residue alluvial. On the west, 8 miles, 60 chains—steep side hill. Thence 3 miles, 52.55 chains, to the ferry at Tunkhannock. Fall 6.254 feet. Soil, on the east, 10 chains of ledges of loose rock, mixed with clay and gravel, and 74.95 chains of steep side hill; the residue alluvial. On the west, one mile, 17 chains of side hill. Streams, upon the east, Tague's creek, up which there is one saw-mill. On the west, one small rivulet. Thence two miles, 51 chains. Fall 3.886 feet. In this distance, crossed the Susquehanna river, upon the west side, (benched an elm tree on the west bank of the river, 26.577 feet above the surface of the water.) Soil, upon the east, 39 chains of ledges, and 20 chains of steep side hill; residue alluvial. On the west, alluvial. Streams, on the east, Tunkhannock, which is a large stream, and rafts descend it about 25 miles, and one other small rivulet. On the west, Bowman's creek, a large stream, down which rafts descend 8 miles. It is about 6 perches wide. Thence 4 miles, 28.96 chains. Fall 13.095 feet. Soil, on the east, 75 chains of ledges (Ousterhout's narrows,) and 18 chains of steep side hill. On the west, 28 chains of steep side hill; residue alluvial. Streams, on the east, one small creek and two rivulets. On the west, one small creek. Thence one mile, 61.5 chains. Fall 6.671 feet. Soil, on the east, 50 chains ledges and 12 chains of steep side hill; the residue alluvial. On the west, 28 chains of steep side hill; the residue alluvial. Streams, on the east, none. On the west, Keeler's creek, which is a small mill stream. Thence 5 miles, 15.7 chains. Fall 7.790 feet. Soil, on the east, 32 chains of loose rock, which rise at an angle of  $41^{\circ}$  from the bank of the river, and 72 chains of steep side hill; residue of the distance alluvial. On the west, 9 chains of ledges of loose rock, and one mile and 6.7 chains steep side hill. Streams, on the east, Butter-milk falls creek, which is a fine mill stream, and three small rivulets. On the west, Swarthout's creek, which is a mill stream, and one rivulet.

Thence 5 miles, 67 chains. Fall, 12.518 feet. Soil, on the east, one mile 60 chains of ledges, and 70 chains of steep side hill. On the west, alluvial, with some rock. Streams, on the east, Gardner's creek, a considerable mill stream, and two other small streams; on the west, Sutton's mill stream, and 6 small rivulets.

Thence through Wyoming valley, 10 miles 1.94 chains, to Toby's Eddy, at Barne's coal mine. Fall 21.69 feet. Soil, on the east, 42



chains, ledges of rock, and 10 chains of steep side hill; the residue alluvial. Streams, on the east, the Lackawanna river, Mill creek and two small rivulets; on the west, Abraham's and Toby's creeks, and one small stream.

Thence 5 miles, 30.75 chains. Falls 10.764 feet. Soil, on the east, twenty chains of rock, and twenty chains of side hill, residue alluvial; on the west alluvial. Streams, on the east, three mill streams; on the west two small mill streams.

Thence 4 miles 70.1 chains. Fall 6.987 feet. Soil, on the east, 58 chains, side hill; residue alluvial; on the west, 57 chains, side hill, residue alluvial. Streams, on the east, none; on the west, two fine mill streams, Harvey's and Hunlock's creeks,

Thence 5 miles, 30 chains. Fall 4.093 feet. Soil, on the east, 1 mile 15 chains, loose rock; on the west, alluvial; two short distances of side hill. Streams on the east, none; on the west, one large mill stream, and three rivulets.

Thence 8 miles, 65.6 chains. Fall 13.818 feet. Soil, on the east, 45 chains of large loose rock, and 45 chains of steep side hill; the residue alluvial; on the west, 36 chains of rocky side hill, and the residue alluvial. Streams, on the east, two fine mill streams, Big and Little Wapwalopin creeks, and one small rivulet; on the west, two mill streams and 5 rivulets.

Thence two miles, 15.4 chains, (passing Nescopeck falls.). Fall 54.069 feet. Soil, on the east, alluvial; on the west, 38 chains of side hill; the residue alluvial. Streams, on the east, one large mill stream, (the Nescopeck creek;) on the west, none.

Thence 6 miles, 27.9 chains. Fall 9.589 feet. Soil, on the east, one mile and a half of steep side hill; residue alluvial; on the west alluvial. Streams, on the east, Ten Mile run, which is a mill stream; on the west, Brier creek, which is a fine mill stream, and two small rivulets.

Thence six miles, 46.8 chains, to Fishing creek. Fall 8.499 feet. Soil, on the east, one mile of rock, which is nearly perpendicular, and the residue steep side hill; on the west, alluvial. Streams, on the east, none; on the west, two small streams.

Thence, one mile 32.4 chains. Fall, 5.261 feet. Soil, on the east, alluvial. On the west, 8 chains of perpendicular rock, and 42 chains of steep side hill, the residue alluvial. Streams, on the east, one small stream. On the west, Fishing creek, which is a large fine stream, upon which are a great number of mills; and rafts descend 25 or 30 miles. Thence 9 miles 68.35 chains (to a point about one mile below Danville.). Fall 15.599 feet. Soil, on the east, one mile ledges of rock, 55 chains of side hill, and the residue alluvial. On the west, 4 chains rock, and 75 chains of steep side hill, the residue of the distance, alluvial. Streams on the east, Cattawissa creek, which is a large mill stream, and 8 other creeks, each of considerable magnitude, viz. Big and Little Roaring creeks, and Logan's creek. On the west, the Mahoning and three small rivulets. Thence five miles 265 chains to the head of Crook's ripple. Fall, 2.44 feet. Soil, on the east, alluvial. On the west, 33 chains of steep side hill, immediately be-

low Danville, the residue of the distance, alluvial. Streams, on the east, Gravel run, which is a mill stream. On the west, three small streams. Thence 5 miles 12.66 chains to the west branch of the Susquehanna river, at the town of Northumberland. Fall to the surface of water in the west branch 9.515 feet. Soil, on the east, 15 chains of rock, nearly perpendicular, and 25 chains of side hill, the residue of the distance alluvial. On the west, alluvial. Streams on the east, one small rivulet. On the west, one small mill stream.

The whole distance from the north line of Pennsylvania, on the Susquehanna river, to the West Branch, at the town of Northumberland, is one hundred and sixty-one miles and fifty chains. Total fall, 337.093 feet. The distance from the north line of the state upon the Chemung, or Tioga river, to the west branch at Northumberland, is one hundred sixty-one miles, 18 chains. Total fall 343.413 feet—upon the east side of the river, there are 11 miles and 78 chains of rock, part of which is perpendicular; and 26 miles and 56 chains of side hill, composed principally of loose rock, clay and small gravel; the residue of the distance 122 miles and 76 chains is alluvial. On the west side, there are 7 miles 19.9 chains of rock, part of which is perpendicular; and 20 miles 65.6 chains of steep side hill, composed principally of loose rock, clay and small gravel, and 133 miles 12.5 chains of alluvial ground. Streams, on the east side of the Susquehanna river. The most considerable are the Wysox, Wyalusing, Tunkhannock, Lackawanna, Nescopeck & Catawissa creeks, all of which are large fine streams, upon which numerous mills are erected, and down which, rafts descend from 10 to 40 miles, and are generally about 6 perches wide, from bank to bank. There are 21 streams of less magnitude, viz. Romefields, big and little Tuscarora creeks, Mashopin, Buttermilk falls, Fague's, Osterhout's and Gardner's mill creek, Solomon's, Gearinger's, Nanticoke, Kister's, big and little Wapwoplin creeks, Ten Mile run; big and little Hoaring creeks, Logan's run, and Gravel run, all of which, and one other, drive mills; and 50 small creeks, and rivulets, many of which furnish valuable mill powers. Of the streams on the west side of the river, five are large, upon which mills are erected, and down which rafts descend several miles, viz. Sugar, Towanda, Mahopony, Bowman's and Fishing creeks. There are 26 smaller streams, viz. Duval's, Little Mahopony, Swarthout's Sutton's, Abraham's, Toby's, Shupp's, Smith's, Harvey's Hunlock's, Shickshinny, Beach's, Sybert's, and Brier creeks, and 12 others, names not known, all of which propel mills; and 54 still smaller streams and rivulets, many of which are sufficiently strong to drive mills for a considerable part of the year. The general average width of streams of the first class, is about 6 perches from bank to bank; those of the second class, about 4 perches from bank to bank, and those of third class about 2 perches wide, from bank to bank.

The river itself, and most of its considerable tributaries may be used as feeders to a canal. Stone, timber and every material for

a canal, are found in abundance, contiguous to the river. Very little can be introduced into this report, which does not appear upon the accompanying drafts, profile and minutes, to which I refer. The minutes will shew the frequent benches made upon the line; and a glance at the maps, will shew the counties, townships, villages, islands, mountains, streams, and the different kinds of soil, and the proportion of each upon each side of the river.— It may not be improper to state, that the most intelligent portion of the people along the river, manifested a strong desire, that a canal should be constructed. A severe attack of billious fever, contracted upon the river, whilst upon this service, and from which I am at this time scarcely recovered, is the only apology I can offer, for the delay, in making my report, drafts, &c.; and for the imperfect manner, in which they are executed. It is hoped, however, that if they do not meet the expectations of the board, they will, at least be regarded, (as they are intended,) as a faithful detail of facts, as I have found them, without ornament or exaggeration; and, that the principal objects of this survey and examination, will be thereby attained.

All which is respectfully submitted.

JOHN BENNET.

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## No. 5.

### Remarks on the North Branch survey, by Judge Scott, a member of the board.

#### *To the Board of Canal Commissioners of Pennsylvania.*

In presenting to the board, the report of Mr. Bennet, the undersigned begs leave to state, that immediately after the resolution of the board of the 10th day of March last, appointing Dr. Patterson and the undersigned, a committee to superintend the examination and surveys of several unexplored routes for canals, mentioned in the act establishing a board of canal commissioners; it was agreed between Dr. Patterson and the undersigned, that the undersigned should superintend the survey of the route from the city of Philadelphia to the northern boundary of the state, and that Dr. Patterson should superintend the surveys of the other routes mentioned in the said resolution. This arrangement, it is believed, was made with the knowledge and by the consent of the board.

In pursuance of this arrangement, and a resolution of the board of the 9th day of May last, confining the examination and survey

of the northern route, to the valley of the Susquehanna between Northumberland and the northern boundary of the state, the undersigned, with the knowledge and approbation of the members of the board, engaged the services of John Bennet, Esq. of Luzerne county, a practical surveyor of great experience, to head the exploring party.

Mr. Bennet made arrangements for the immediate commencement of the work; but in consequence of some difficulties in procuring the necessary instruments, and an unusual flood in the Susquehanna and its tributary streams, the operations of the party were necessarily delayed until the month of July. On the 15th of that month, Mr. Bennet proceeded with the undersigned to the village of Athens, in Bradford county, in the vicinity of the state line; and there, having made the necessary arrangements, the work was commenced.

As other official engagements must necessarily prevent the undersigned from continuing with the party for any considerable length of time, the undersigned drew up, and delivered to Mr. Bennet, some general instructions for the regulation of his conduct, of which the following is a copy.

*Athens, July 21, 1826.*

JOHN BENNET, Esq.

SIR—In making the survey and examinations, and in taking the levels for a canal from the northern boundary of the state along the Susquehanna to Northumberland, you will commence upon the state line, both upon the Susquehanna and Chemung rivers, and unite the levels at some convenient point, at or near the village of Athens. You will then extend your line of levels to Northumberland.

In taking the levels, you will not be confined to one side of the river, but you are at liberty to cross it when necessary, to avoid difficulties and facilitate the work. Both sides of the river must be examined, and the following particulars accurately noted.

1. *The soil*—Whether composed of clay, sand, gravel, &c.
2. *The mountains and hills*—Whether composed of rock, loose stone, slate, sand, gravel, &c.
3. The difficulties to be encountered in the construction of a canal, in consequence of the mountains, hills and high banks jutting into the river, and the length of such narrow passes.
4. *The streams* emptying into the river on each side, the width of their beds from bank to bank, whether they are navigable for rafts, &c. and for what distance—whether mills are erected on them; whether there is a failure of water at any season of the year to propel mills, and what streams can conveniently be used as feeders to a canal.

In short, you will examine and note every thing necessary to enable you to make a complete map of the river, the islands it contains, the mountains and hills adjacent, and a short section of each

stream which empties into it, designating the difficulties and facilities on each side of the river, in the construction of a canal.

The local names of the islands, falls, ripples, streams, mountains, hills, townships, villages, &c. should be ascertained and accurately written upon the map.

You will consult economy in all your expenses. Keep an accurate account of all disbursements; take a receipt for every considerable sum (and in all cases where practicable,) which original account, with the receipts, must be produced upon the settlement of your accounts, verified by your oath.

Inform me weekly of the point at which you have arrived, and, at the same time, direct at what post office I shall address you.

Draw on me for the necessary funds when wanted.

DAVID SCOTT, *one of the*  
*Canal Commissioners of Pennsylvania.*

In pursuance of these instructions, Mr. Bennet commenced and prosecuted the work, with great activity, diligence and zeal, and finished the survey and returned home on the 20<sup>th</sup> of September. Within a few days after his return, he was attacked with a bilious fever, from which he has not yet entirely recovered. All the persons engaged under him, with one exception, were visited, about the same time, with the same disease, which, in every case, has been unusually protracted. The occurrence of this unfortunate circumstance, over which Mr. Bennet, nor the undersigned, could have any possible control, will account for the delay in making his report, drafts, &c. and it is hoped, will be received as a sufficient apology for any imperfections which may be found in their execution.

The undersigned embraces this occasion, briefly to present to the board, his views upon the practicability, necessity, and importance, of a canal along the valley of the Susquehanna; and particularly from its intersection with the Pennsylvania canal, to the northern boundary of the state.

From the survey of Mr. Bennet it is ascertained, that the total distance

From the northern line of the state, upon  
the Tioga or Chemung river, to Northum-  
berland, is

161 miles 18 chains.  
543.413 feet.

Total fall,

From the state line on the Susquehanna to  
Northumberland, is

161 miles 5 chains.  
337.093 feet.

Total fall,

From the surveys already made, and from the geological structure of Pennsylvania, it is doubted whether there can be found within her limits, so great a distance, in so direct a line, requiring so little lockage. The average fall per mile, in the whole distance, is but a fraction more than two feet; and from the head of Wyoming valley to Northumberland, a distance of seventy-one miles, including the two principal falls upon this branch of the river, (the Nantecoke and Nescopeck,) the average fall per mile is a fraction less than one foot nine inches.

The Susquehanna and its tributaries, afford abundant supplies of water; and it is believed they may be used, at every desirable point, as feeders to a canal.

From the report of Mr. Bennet, it appears that the proportion of rock excavation will be unusually small, when compared with the distance, on either side of the river; and that the soil throughout the whole explored route, is principally alluvial, composed of clay, sand and some mixture of gravel, in which clay predominates, is of a firm texture, and of easy excavation.

It is believed that few, if any, of the narrow passes, where the bases of the mountains or hills composed of rock, form the banks of the river, present greater difficulties in the construction of a canal, than are to be met with at Peters', Short, and Kittittinney mountains; and that no point on the whole line presents impediments so formidable, as are found at Butler's falls, upon the Delaware, where the canal of the Hudson and Delaware company is now in successful progress.

Stone, timber and every other material, necessary in the construction of a canal, may be obtained in the vicinity of the line; and it is believed that very few instances would occur, where the value of the necessary ground, or damages for injuries sustained, would be demanded, except where a valuable building or mill power should be materially injured or entirely destroyed.

If the undersigned is correct in his facts; or, if, indeed, he approximates near the truth, the inference is clear, that a canal is not only practicable, but that it can be constructed at comparatively small expense.

The necessity and importance of a canal, along the valley of the Susquehanna, will appear from the following considerations.

One of the most striking features, delineated upon the map of Pennsylvania, is the Susquehanna river and its great branches. Entering Pennsylvania from the north, it passes nearly through its centre, and with its tributaries, drains nearly one half of the territory of the commonwealth. This portion of Pennsylvania is not surpassed by any other tract of country of equal extent in the Union, for the productiveness of the soil, and for the variety, value and extent of its minerals. It contains also, at least, one third of the whole population of the state.

A large tract of country, beyond our northern boundary, within the limits of the state of New-York, rich in its vegetable and mineral productions, and embracing a population of nearly two hundred thousand inhabitants, is also drained by the Susquehanna and its northern tributaries.

To the territory drained by this noble river, within the states of Pennsylvania and New-York, containing above twenty thousand square miles, and a population of more than half a million, nature has pointed out the valley of the Susquehanna as the great highway to market.

The Susquehanna is regarded as a navigable river. It is so in a limited sense. Viewed in its whole extent, in connexion with its



great branches, its ascending navigation is extremely limited and difficult; its descending navigation is uncertain and of short duration, and both are at all times hazardous. A voyage across the Atlantic does not involve so much danger to life and property, as the navigation of the river, from Newtown, in the state of New-York, to the head of tide. It is believed that the difficulties, delays, dangers and losses, which at present attend the navigation of this river, are little known, and less understood, except by those interested in the river trade.

Since the opening of the Erie canal, and the construction of turnpike roads, from the Susquehanna to the valley of the Delaware, the Hudson and the lakes, the boats upon the Susquehanna, for the transportation of the ascending trade, have gradually disappeared, until not a single boat is found plying upon the river, above Northumberland. It is found, that merchandise can be transported by waggon, from the city of Philadelphia, the city of New-York, and the heads of the Seneca and Cayuga lakes, with more expedition, at less expense and less hazard, than by the river.

The descending navigation of the Susquehanna, is uncertain, of short duration, and at all times dangerous. Property can only be floated down in the time of high floods, which seldom occur, except in the breaking up of the ice, and the melting of the snow in the spring season. During these floods, the river is not navigated, with any degree of safety or success, if at all, for more than a week or ten days. The consequence is, that the whole trade of the Susquehanna descends at nearly the same time; the markets, which are at all times very uncertain, in the towns and villages along the river, are overstocked; the owners have incurred expenses which they cannot meet without sales; and they are frequently obliged to sell at a ruinous sacrifice.

It sometimes happens, that there is no spring flood sufficient for the descending trade. When this is the case, great losses are sustained by the owners, not only in consequence of the embarrassments incident to disappointments, and a failure of market, but also on account of the deterioration, if not the entire destruction of many articles by the keeping. A summer flood, after the failure of a spring flood, generally proves ruinous. Being disappointed, and having property on hand, and anxious to get it to market, the owners embark it upon the summer flood. The water evaporates, the river falls, and with it all their hopes, before they reach a market. Indeed, very little property ever reached its intended destination by a summer flood.

Round and square timber, scantling, boards and planks, are floated down in rafts. All other articles are floated down in arks, which, although they carry from forty to fifty tons each, are very frail vessels, and are liable to many destructive accidents.

The loss occasioned by accidents incident to the river navigation, exposure to the weather, &c. is estimated at five per cent upon the gross amount of exports.

The whole amount of property which descended the Susquehanna last year, was estimated at four millions and a half. The ton-

nage required for the transportation of those articles which could not be floated in rafts, must have amounted to more than one hundred thousand tons. Fifteen hundred arks arrived at Port Deposit; and it is known that there were many, and it is fair to presume, that at least five hundred found a market for their lading, at the towns and villages along the river above that place.

Estimating the loss incident to river navigation at five per cent. which is certainly very low, and the amount of exports at four and a half millions, the gross amount of loss annually sustained, would be two hundred and twenty-five thousand dollars. Besides this, there is, and must always continue to be, (whatever improvements may be made in the descending navigation,) an enormous sacrifice in the item of arks. An ark of sufficient capacity to carry forty or fifty tons, will cost at least sixty-five dollars. It never can re-ascend the river; and consequently must be sold for any price which can be obtained for it. The average price of an ark, at the place of its destination, is fifteen dollars. The loss then, upon two thousand arks, the estimated number which descended the river last year, and which is annually increasing, will amount to one hundred thousand dollars, which, added to the estimated loss by accident, exposure, &c. amounts to the enormous sum of three hundred and twenty-five thousand dollars; a sum, it is believed, equal to the interest upon the capital necessary for canalling the Susquehanna from the New York to the Maryland line. The whole of this sum, and other items of considerable magnitude, would be saved to the individuals interested, and consequently serve to increase the aggregate wealth of the state, by a canal navigation. The expenses of navigating an ark, of the common capacity, (forty or fifty tons,) from Wyoming valley to the head of tide, amount to one hundred and twenty dollars. The transportation of the same tonnage, by canal boats, it is believed, would greatly diminish this item of expenditure.

The country above the Wyoming valley is supplied with merchandize from the city of New York. The surplus products are floated down the river, sold, and the proceeds taken in cash by the merchants to New York, and there laid out in goods, which are transported, by water, to some point upon the Hudson, or, by the Erie canal, to the head of the Seneca, or the Cayuga Lake, and thence, by wagons, to the valley of the Susquehanna. Indeed, a considerable portion of the merchandise at this time, vended in Luzerne county, is purchased in New York, and thence transported by wagons; the difference in the distance, between Wilkesbarre and Philadelphia, and Wilkesbarre and New York, being very trifling. When a canal shall have been constructed along the valley of the Susquehanna, from the northern boundary of the state, to intersect the Pennsylvania Canal, the whole country above that point will be supplied with merchandize from the city of Philadelphia, and most of the produce of the country will find its way there to market. Until this is done, Philadelphia can never enjoy the trade of the Susquehanna. Hence, to the interests of



the state in general, and to the city of Philadelphia in particular, the necessity and importance of this great improvement.

Of the two thousand arks, which descended the Susquehanna last year, at least fifteen hundred must have received their lading above Harrisburg. The lumber, which annually descends the river, is estimated at one hundred and seventy-five millions of feet; the whole, or nearly the whole of which comes also from the country above Harrisburg. As before stated, the whole of this property, nearly, in ordinary seasons, and in the present state of the river navigation, must arrive in the course of a week or ten days; and when arrived at this point, the principal part of the expenses will have been incurred; and the flood having borne it thus far, will quickly bear it further, and with trifling additional expense. Under these circumstances, it never can be expected that the trade of the Susquehanna will stop at any point where the Pennsylvania Canal shall intersect the river; that the owners will unload, store, reload, and incur all the expense, vexation and delay incident to a transshipment to Philadelphia, by the Union, or any other canal, connecting the Susquehanna and the Schuylkill, or Delaware.

If there was a safe and easy ascending and descending navigation by canal, along the valley of the Susquehanna, the products of the country, would not be hurried to market in the course of a few days, in the time of a high flood, in craft of unwieldy size and frail structure; but the season would be occupied in their transportation, in boats which could pass through the Pennsylvania canal to Philadelphia. Losses by accident, and exposure would seldom or never occur—an immense saving would be made in the item of arks; the trade would annually and rapidly increase; the extensive forests of wild lands upon our northern border would be immediately settled and improved; towns, villages and manufactories would spring up along the line; an impulse would be given to industry and enterprize; the market would soon assume a fixed character; and it is believed, that the whole region drained by the Susquehanna, and its tributaries, above its intersection with the Pennsylvania canal, would be supplied with merchandize from the city of Philadelphia.

In the present state of the river, and after every thing shall have been done which can be done to improve the descending navigation by the natural channel, the immense and increasing trade of the Susquehanna, will continue to be, as it has hitherto been, divided between New-York and Baltimore. Nothing can save it, (nor the other advantages before enumerated,) to the state, or direct it to Philadelphia, but a canal from the northern boundary of the state to the Pennsylvania canal, along the valley of the Susquehanna. It is certainly worth contending for, and if not secured, it will not be on account of any deficiency in facilities or means. Of the first, nature has been liberal in her gifts; of the last, the state can furnish an abundance.

Another, and a very important question presents itself in the examination of this subject. Is it probable, that the annual tolls

upon the proposed canal, will amount to the interest of the capital expended in its construction?

No estimate has been made of the expense; but from the report of Mr. Bennet, the average cost per mile may reasonably be estimated at eight thousand dollars. If the Pennsylvania canal, should be located by the west branch route, (the distance from the northern line of the state being one hundred and sixty one miles,) the expense of constructing the canal, would amount to \$ 1,288,000. The annual interest of which will amount to 77,280. If the Juniata route should be adopted, the length of the canal would be increased to 197 miles, which, by the above estimate, will amount to 1,576,000. The annual interest of which will be \$94,560.

Of the vegetable products of the Susquehanna valley, it is estimated that more than one third comes from the country above the west branch, and at least two thirds, above the Juniata. This, in the present state of the river navigation, is annually increasing, and with the advantages of a canal navigation, would soon be more than doubled. In the exportation of the mineral products of the country, very little has as yet been done. Inconsiderable quantities of anthracite coal, from the Wyoming valley, have for several years past, been floated down in arks; but the losses by accidents, and in the item of arks, have been so great, and the markets have been so uncertain along the river, as to deter capitalists from engaging extensively in the business.

The anthracite coal formation extends from the sources of the Lackawanna, along the valley of that stream, to the Wyoming valley, thence through the Wyoming valley to the hills near Berwick; making together a distance of eighty miles. This coal tract is from half a mile to five miles wide, and is estimated at an average width of two miles; throughout the whole of which, coal is found in strata of from five to forty feet thick. Estimating the average thickness of the stratum of coal at twelve feet, (which is below the fact,) this region contains one thousand three hundred ninety-five millions eight hundred and seventy thousand tons of coal; which with all the capital, which could advantageously be invested in the business, and with all the facilities of canal navigation, could not be exhausted in ten thousand years.

It is believed, that upon the construction of a canal, the exports of this mineral, would soon amount to 50,000 tons annually, and would probably be increased to 100,000. Estimating the annual exports of coal from the Wyoming valley, and the contiguous coal region, at 50,000 tons, and the toll at one cent per ton per mile, the tolls upon this mineral alone, to the Swatara, the distance of one hundred and nineteen miles, would annually amount to \$59,500. The return tonnage by the coal boats, might fairly be estimated at one fifth of the descending tonnage, which would increase the tolls upon the coal trade alone, to \$71,400, which with the tolls upon other articles of trade, would immediately amount to more than the interest upon the capital expended, and at no very distant day, enable

the state to pay off the debt which must necessarily be contracted in the construction of the canal.

The foregoing facts and observations have been thrown together in great haste, without order or method; and it is frankly admitted that errors may be discovered in them; but it is insisted that they are generally correct; and that the more the subject is examined, the necessity and importance of a canal along the valley of the Susquehanna, will appear more strikingly clear and conclusive.

All of which is respectfully submitted,

DAVID SCOTT,

*One of the canal commissioners  
of Pennsylvania.*

Harrisburg, Feb. 2d, 1827.

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No. 6.

**Report of the survey of the Northern Route, between the eastern and western waters, by James Geddes, Esq.**

*Report on the Susquehanna Valley.*

The directions received from the board of canal commissioners in April last, were:

- 1st. "To ascertain the practicability of the proposed work, especially with reference to a supply of water on the summit level.
- 2d. To obtain an accurate estimate of its probable expense.
- 3d. To ascertain the several difficulties to be encountered, and the most eligible means by which they may be overcome.
- 4th. To have the line of the canal so located that if adopted hereafter, no further examinations may be necessary before its active commencement."

After locating a line of canal from the mouth of West creek, a tributary of the Drift-wood branch of the Sinnemahoning, to the mouth of the Juniata, one hundred and eighty miles, a general account of the region past over, was transmitted to the president of the board in July last, in substance as follows:

The floods above Northumberland have been found to rise to a height above what common report had made them, a serious obstacle to the making a canal in the river bed where high rocky banks hinder the making it on shore—carrying the supporting walls to such an expensive height. While on the Sinnemahoning, the flood-

line of last spring was seldom found more than twelve feet above the then surface; but in a short distance below the mouth of that stream, the Susquehanna was found to rise nineteen feet above the surface, (twenty-two or three feet above low water,) and in many places still higher.

Another unlooked for character, in the West Branch, is, there being *deep still water* at the foot of all the high rocky precipices, which have their bases washed by the stream, throwing the canal, consequently, into the river bed. The stream here has made its way along the valleys *among* the mountains and not *across* their course, as below Northumberland; and no rocks run across the bottom to the opposite shore. Where the river runs at the steep mountain's base, a section of the earth would show the same degree of steepness below the water's surface, that is seen above it; the bottom being a formation from the disintegrated rocks above. At one place, the wall to support a canal along the face of the rocks, would be based in water thirteen feet deep.\* The depth of the water, and height of the flood line, will in some places require a wall full thirty feet high.

Below Sunbury a contrary feature is uniformly found to prevail: the river runs across the ranges of mountains, and having passed over low places in them, has carried away all that was saluble, the rocks remaining make rapids and shallow water opposite all the narrows.† This character of the Susquehanna continues not only to the mouth of Juniata, but to tide.

The favorable parts of the route present great regularity of surface. Gentle slopes continuing long unbroken, except by some small ravines, scooped out by little rills, or a small swell to be cut through, where a mountain brook has dropped its alluvion. There is almost a total absence of that finger-formed surface which is so troublesome to engineers, requiring continual calculations of deep cuttings and embankings between.

There will be little expense attending the construction of feeders to supply amply, all the levels. But the paying for mills which must give up all their water, will be a considerable item.

A long embankment was found necessary to bring a level to Pine creek high enough for the passage of its floods under an aqueduct, and a serious deep cutting is to be passed through in approaching Muncy creek.

The line of canal, as brought down through Northumberland, is at that place, twenty three and a half feet (from canal surface to river surface) above the level of the lowest water found by Mr. Wilson, the autumn preceding; and a level still eight feet higher, can be brought to said place, interfering but little with the village

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\* Canal banks in the Mohawk river, state of New York, are in some places based in water ten and even fifteen feet deep; but the floods do not rise high.

† The term "narrows," is used for the contracted space between a steep rocky mountain and the river.

property—thus affording ample elevation for an aqueduct over the West Branch. The width of the stream here is thirteen hundred feet.

At the mouth of the Juniata, by carrying the canal on Duncan's Island, a level 24.24 feet above the river surface (full twenty six feet above low water) is obtained, with a supply of water from the river, taken in at Berry's falls, so that an aqueduct over the Susquehanna here, is practicable, if the width of the river (2350 feet) did not forbid.

Hon. JOHN SERGEANT, &c.

In the latter end of August, after examinations had been made by running levels and gaugings streams, in Elk creek valley, and the valley of the Clarion river, the following report, with a map, (see the latter end of the atlas) was made to the president of the canal commissioners.

*Examination of the Sinnemahoning and Clarion summit.*

The product of the streams gauged, is as follows:

Streams Gauged	In 1825. Cubic ft. in 24 hours.	In 1826. Cubic ft. in 24 hours.
Upper fork of Clarion,	614,400	537,120
N. East fork of do.	471,460	402,336
Elk Lick run,	164,861	17,280
S. E. branch of Elk creek,	204,972	Kersey's feeder. {
Kersey run below Carr's run,	75,427	
E. fork of Elk creek,	125,649	41,904
West or (Sinnemahoning water)	113,842	24,480
	<hr/> 1,770,611	<hr/> 1,158,565
Deduct, as now not worth making, the Kersey feeder,		135,445
		<hr/> 1,023,120

The remainder is,

But to 1,023,120, add 145,312, the product of six small streams not gauged last year, and the amount is 1,168,432 cubic feet per 24 hours.

The very serpentine course which a level line pursues down Elk creek, and up the Clarion valley (see the map) will lengthen the feeder and canal to more than 40 miles\* exclusive of the Kersey feeder, rejected.

Mr. Wilson's account of the fork's of the Clarion, is that there can be but little descent given to the feeder along the valley; therefore, the area of a cross section of the feeder must nearly equal that

\*Counting along the feeder and canal, from the mouth of Elk creek to a N. W. branch of West creek, the two points where the first additional supply of water can be had.

of a canal, as almost all the water to be had is to pass through a channel the most tortuous perhaps that was ever projected.

But the very steep sloping surface, upon which the whole line of canal and feeder must run from the west end of the proposed tunnel to the termination of the feeder, in the Clarion, is of the most appalling nature. The work is to hang, as it were, on the face of a mountain, the angle from fifteen to thirty degrees, and in some places steeper than the slope given to the canal banks, indisputably requiring the work to be supported by wood or stone. The difficulty of conducting a water-tight channel along the surface of such a steep, will imperiously demand that much allowance be made for unavoidable leakage. The water passes horizontally but a short distance through the ground, until it reaches the surface of the bank, a surface which, in all the Elk creek valley, receives the direct rays of the meridian sun.

There are likewise many spots of stony surface, some of them requiring that earth be carried to them to make a water-tight work.

Take 41 miles of canal and feeder, the feeder exposed to nearly the same waste of water with the canal, and the quantity that is found falls short of twenty cubic feet per mile per minute.\*

That the quantity found, would have been the same, had all the streams been gauged on Friday last, (Aug. 25th) there is no probability. The Elk creek streams were gauged on the 9th, 10th, 11th and 12th August; and from Friday the 18th, to Friday 25th, the water in the mouth of Elk creek, appeared to have diminished more than one half in said week.

A stone that was sunk in the Clarion river, at the mouth of Elk creek, for the purpose of observing the fall of the water, was left dry, in the course of said week; shewing evidently, that a considerable diminution had taken place, although a heavy shower had fallen in the fore part of said week.

A history of the weather this season, will show that it could not have been one of more extreme drought. The earliest settlers had never seen the Clarion river so high at the mouth of Elk creek, as it was raised by the late June and July floods. Every little branch had overflowed its banks, where there still remains the prostrate fern and other herbage, borne down by the overflowing flood. Showery weather continued to the end of July. On the 31st, there was a rain of sixteen hours length, only ten days before the gauging was commenced.

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\*In Mr. Sullivan's illustration of the report of the United States engineers to the president of the United States, made February 24th, 1825, page 79th, it is observed, "Canals in England, being in a very different climate do not in regard to water, afford data on which to rely. The canals of France, whose climate most resembles that of the middle states, differ greatly from each other, the mean of these, and of the best section of the Erie [canal] together, is a near approximation to the truth—evaporation and filtration, above 58.13 [cubic feet] per mile per minute."



Such sudden shrinking of the streams can be accounted for, only by considering the particular formation of the surface. The part of the country most elevated, may be viewed as table land, suited to receive the rains and give out durable water; but the proportion of this, to the steep mountains, of solid sand rock, is so inconsiderable, that the rain sliding from their shelving sides, gives the mountain torrents, where in a few days nothing will be found but dry channels.

In examining further the capability of this country to continue to afford durable water, it is worthy of note, that at the head of almost all the lateral valleys which supply the water to the Elk creek and Clarion river, there is a soil which would soon be cultivated, if the canal here proposed was made; and when the time arrives that these brooks shall yield nothing but the drainage of fields, entirely stripped of their woody covering, what proportion of their present discharge would they then give? Or should a rage for irrigation possess the proprietors of these grounds, the question may be asked, would any water arrive at and run through the proposed tunnel, in a dry time?

Through the country generally, last season was remarked as one of uncommon drought, and many were prepared to hope that double the quantity of water would be found, that was reported last year. Favorable situations for reservoirs, it was expected, would be found; but a dam raised twenty feet high, at the head of any of these valleys, would make but few acres of reservoir, so rapid is their descent.

Thus viewed, I do not hesitate in the opinion, that this summit would not have an adequate supply of water.

Very respectfully, I am sir,

Your most obedient servant

JAS. GEDDES, Eng'r.

HON. JOHN SERGEANT, President of the  
Board of Pennsylvania Canal Commissioners.

*Philadelphia, August 31st, 1826.*

Directed by the board, December 7th, 1826, in relation to the above summit, to report "such other facts and observations as may be necessary to make the subject fully understood."

*Additional Report, on the Clarion and Sinnemahoning Summit.*

The whole length of the Clarion feeder, from a point where the water is proposed to be received, to the line of canal, in Elk creek valley, is twenty-nine and a half miles. The length of canal, from where it strikes Elk creek, to the mouth of north branch of West creek, is nineteen miles; so that the feeder, and that part of the canal which has no other water than the supply thrown into the summit level, make together forty-eight and a half miles. In the above report, it was called forty miles. The quantity of water found (1,168,462 cubic feet per day) is equal to 811 cubic feet per

minute, which divided by 41 miles, made not quite 20 cubic feet per mile per minute. Divide 811 by  $48\frac{1}{2}$  the length now found, and the supply is not quite seventeen cubic feet per mile per minute.

The lockage on the Elk creek side of the summit, is 214.60 feet, near thirty-six six feet locks, to the point where the line enter Elk creek. On the west side, the lockage to the mouth of its north branch, is 172.42 feet, making twenty-eight six feet locks, by  $+ 4.42$  feet, together three hundred and eighty-seven feet—lockage, ascending and descending, between the points, at which any addition can be had to the summit water.

The Kersey feeder is rejected, because it was found, measuring on its meanders, to be seven miles long, running near the whole distance, on the faces of very steep slopes, so unfavorable to the making a tight water course, that it was not at all probable any of its waters could, in a dry time, reach the canal, but would be all lost in leakage, soakage and evaporation, before so small a quantity would run so great a distance. The discharge into the Kersey feeder is 135,445 cubic feet per 24 hours, equal to 94 cubic feet per minute, divided by seven miles, gives not quite thirteen and a half cubic feet per mile per minute—far short of a supply required for filtration and evaporation.

That part to be furnished by the Clarion is, 939,456 cubic feet per day, or nine elevenths of the whole supply, as gauged which 9-11 must run 46 miles, through feeder and canal, before it discharges itself into the lock at the mouth of the north branch of West creek, where the first new supply can be received on that side of the summit.

Considering the very unfavorable surface for making a water-tight canal, it is questionable, whether any quantity of water that the upper end of the feeder could receive, would reach through said forty six miles, without much descent and great enlargement of the cross section on the upper part of the feeder.

But the whole distance upon which the summit water would waste, is  $48\frac{1}{2}$  miles. Calculating with Mr. Sullivan, that 58.13 cubic feet per mile per minute, should be allowed for filtration and evaporation, the whole quantity required for said waste, would be  $48.5 \times 58.13 = 2819.3$  cubic feet per minute; but the quantity found by gauging, is 811  $+$  cubic feet per minute, less than  $\frac{1}{3}$  of what he requires for waste—lockage water out of the question.

After this view it would be, useless to enter into any calculation of the expense of making the canal and feeder, or tunnel; or the cost of a mile of canal on the face of a mountain so steep, as to require the removal of 240,000 cubic yards per mile, and very many such miles there are.

### *Susquehanna Valley.*

Directions from the board of canal commissioners, dated December 7th, 1826, required:

"A detailed result of the examinations from the mouth of



Juniata to the mouth of West creek, accompanied with the requisite draughts, profiles, estimates, &c."

Considering the important products of the Bald Eagle valley, it may be very reasonably expected that a communication by canal, with that valley, will be made; although the Juniata route to Pittsburg should be chosen. Under such impressions, a report on the line ran from opposite the mouth of Bald Eagle creek to the mouth of the Juniata, is made separate from the upper division, between Bald Eagle and West creek; and in a manner somewhat more particular, as said upper division, should the Juniata route be taken, would never be made.

*Susquehanna Valley—Lower Division.*

In making the following estimates of the cost of each mile, calculations are made on *excavation, embanking, aqueducts and bridges—feeders* at the end of the mile where they are brought in. A sum for waste wiers and fencing, will be added, at a rate per mile—lockage, at a sum per foot.

The Susquehanna valley, lower division, begins opposite the mouth of Bald Eagle creek, thence to Northumberland, thence over the West Branch, and along the west side of the river, to the mouth of Juniata.

**ESTIMATES—Lower Division.**

MILE	1st.*			
	2	\$10,224	21	20,921
	3	4,800	22	4,554
	4	6,708	23	4,657
	5	5,563	24	3,969
	6	5,400	25	8,869
	7	5,100	26	6,832
	8	6,794	Lycoming feeder,	
	9	3,404	27	6,047
	10	16,339	28	5,020
Pine creek feeder,		26,654	29	6,107
11		3,300	30	7,429
12		4,220	31	5,345
13		6,913	32	8,360
14		11,713	33	6,120
15		60,558	34	14,480
Larry's creek feeder,		2,500	35	7,740
16		61,788	36	4,444
17		3,040	37	9,500
18		3,805	38	11,589
19		5,100	39	28,658
20		12,179	40	12,006
			Muncy creek feeder,	
				2,000

\*Ought to be in the upper division.

## ESTIMATES—(Continued.)

<b>MILE 41</b>	<b>\$17,544</b>	<b>Middle creek feeder,</b>	<b>\$2,000</b>
42	5,885	<b>MILE 77</b>	<b>10,359</b>
43	18,097	78	9,536
44	7,842	79	8,620
45	42,656	80	5,640
46	62,514	81	8,103
47	4,497	82	3,955
48	4,551	83	5,259
49	4,900	84	5,006
50	4,052	85	6,259
51	5,841	86	5,152
52	4,168	87	5,985
53	6,560	88	6,580
54	8,434	<b>Mahontongo feeder,</b>	<b>4,740</b>
55	6,072	89	5,295
56	7,670	90	7,040
<b>Muncy creek feeder,</b>	<b>3,300</b>	91	3,868
57	4,620	92	4,044
58	5,084	93	4,812
59	4,520	<b>Feeder</b>	<b>500</b>
60	4,020	94	7,190
61	4,970	95	4,420
62	5,490	96	4,450
63	5,127	<b>Feeder fm. Berry's falls</b>	<b>5,940</b>
64	9,400	97	5,720
65	5,102	98	5,460
66	6,646	99	18,456
67	3,868	100	8,138
68	4,420	101	5,269
69	9,600	102	4,508
70	22,089	103	5,220
71	5,793	104	27,615
72	4,568	105	5,420
73	4,932	106	4,989
74	10,884	<b>185 yards of 107th mile,</b>	<b>770</b>
<b>Penns creek feeder,</b>	<b>7,004</b>		
75	4,120	<b>Amount of the 106</b>	
76	4,772	<b>+ miles, &amp;c..</b>	<b>\$1,081,804</b>

## LOCKAGE.

<b>Locks 2</b>	<b>From the mouth of Bald Eagle, up to Pine creek level</b>	<b>16.25 feet.</b>
<b>14</b>	<b>From Pine creek level down to the river surface at Northumberland,</b>	<b>118.50.</b>
<b>2</b>	<b>From Northumberland up to Penn's creek level,</b>	<b>16..</b>

Locks 12 From Penn's creek level down to the mouth  
of Juniata, 104.25 feet.

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50 255.00

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The extra lockage is, at the upper end 16.25 up + 16.25  
down to said level again—at Northumberland 16  
down + 16 up to Penns creek level, together 64.50

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Leaving the fall from Bald Eagle to Juniata, 190.50

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Several miles will not need fencing on either side, and a part but on one side. Two hundred miles of fence will be near the length required. At 75 cents per perch, one mile is \$240.

Waste weirs will be required, one on each level, and for three long levels let three more be added, together \$1. They may be made sufficiently large for 150 dollars each.

#### RECAPITULATION.

Estimates of the excavation, &c. of 106 + miles,	\$ 1,031,804
Lockage two hundred and fifty-five feet, at \$150 †	38,250
Two hundred miles of fence, at \$240 per mile,	48,000
Waste-weirs, thirty-one, at \$150 each,	4,600
For water rights, put at	54,000

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Aggregate, 1,176,654

Add 10 per cent. for contingencies, superintendence  
and engineers, 117,665

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The sum total is \$ 1,294,319

As the above estimates are made, there is but three thousand dollars put down for crossing the West Branch, at Northumberland. The sum is for erecting three piers, for taking boats across by what would be called a rope ferry, postponing, for the present, the consideration of an aqueduct or towing path bridge.

The plan of rising from the river, on the west side, by 2 eight-foot locks, is to be accomplished, by making a new summit, to be supplied by Penn's creek, as a feeder. When the purchase of water rights, at Penn's creek, (two valuable grist mills and a forge, is counted, adding the cost of thirty-two feet of lockage that would be saved, it is doubtful whether much additional cost would accrue by substituting an aqueduct. The first cost of four locks is readily ascertained, but the expense of repairs and attendance, ever after, would doubtless be estimated differently by different calculators. At present, the cost of water rights is difficult to fix. But a more important consideration remains; whether the whole

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† The breast, upper wing-walls, and hollow-quoins, stone; the sides and foundation, wood.

water of Penn's creek would, at all times, supply the summit proposed. Should it at a suitable season for examination, be found insufficient, the aqueduct will be indispensable. A calculation more satisfactory will be made by those who shall hereafter be in possession of better data. That the navigation would be more perfect with an aqueduct, all will agree.

### *Susquehanna Slack water Navigation.*

Instructions of the president, afterwards enjoined by the board of commissioners:

"We shall wish, at some time, to have a full exposition of your views as to the practicability and advantages of an improvement of the Susquehanna, by a slack-water navigation. You will please, therefore, to give your attention to this subject, as occasion may offer, so that you may be enabled to give us detailed information as to the mode, expense, &c. &c."

The view of the Susquehanna valley, that has been taken, shews that little would be gained by substituting a slack-water navigation for a canal. The proportion of the low alluvial lands composing these shores, forbid the constructing of any other dams on the river, than very low ones; the consequence of which would be that the locks and dams would be very numerous. The towing paths would be often under water, unless raised to an expensive and inconvenient height.

The most expensive piece along the river is here noticed: It begins on the west side of Larry's creek, with the fifth mile, (lower division, map No. 2,) and continuing to the end of the sixteenth, two miles are included, the most costly and difficult to make safe of any equal distance on this part of the river.

The instability of a wall, just below the mouth of Larry's creek, may be apprehended. In this place the rapidity and direction of the current above, throws the floods so furiously against the high rocks, along the face of which the canal must be conducted, that the most substantial masonry will be required for its protection. A wall must be made where the water is deepest, to the height of thirty feet, to be above the floods which rise very high at this place. Heavy stones, well fitted together, must be used; and such stones are not readily procured here.

The expense of the aqueduct and heavy embankment, in the valley of Larry's creek, with their massive walls, puts the cost of these two miles above any other like distance. Their amount in the estimates made, is \$126,821, exclusive of lock.

To pass these two miles in the river, two extra locks and a dam would be required. The lift of the lower lock must be great, unless the dam is raised, higher perhaps than the low grounds on the river above will admit; then the whole supply of water to lock up out of the river into the canal, must be raised with machinery by water power afforded at the dam.

When the sum is ascertained that would be expended on this two miles of river navigation, with the addition of the sum that ought to be expended to avoid this increase of the lockage, with the

continued expense of repairs and attendance which the water-works would require, and the superior excellence of the canal over the river navigation, are all considered, it is questionable whether any alteration ought to be attempted. However, a view of this place for the particular examination of said alteration might present it in a different aspect.

As the river for seven miles below, has scarce any fall, the waters cannot be drawn from a dam at this place, without the enormous expese of having extra banks for a long dittance, to keep the floods out of the canal. On this long level of the rivers the floods rise very high.

A departure from the line run, by passing Muncy hill in the river, deserves particular examination.

At Muncy hill, the river surface is 20.32 feet below the canal surface, as the line is run past said hill. Raise the water by a dam 4.32 feet high, and it will exactly correspond with the level in Milton village. Let the said level extend up to the dam and the river water will enter and pass through Milton, without an intervening lock. Give this piece of canal a descent of four inches per mile, and there will be still remaining at Milton, (according to Mr. Wilson's level of the preceding season) a fall of twenty-four feet, from the canal to the river, on which fall spare water might be used at this place. Continue the canal with the same descent per mile, without a lock, to opposite Lewisburg, where two eighty feet locks may be placed, and a fall of sixteen feet is here obtained for the spare water, still undisposed of. Mills would be worth much at this place opposite the Lewisburg bridge and turnpike from Penn's valley. The same water passing into the canal again, runs on to Northumberland to be used once more, upon a fall of sixteen feet—the canal still calculated to continue with the same descent of four inches per mile. Let the depth of the water from the dam to Milton be five feet—surface forty feet—bottom twenty-five feet and the area of the cross section will be 162.5 superficial feet.

The velocity of a medium current in such a canal, calculated by Eytelwein's formula, is 17.5 + inches per second, equal to 86.5 + per minute, multiplied into the area (162.5 feet) yields 14,056 + cubic feet per minute. The quantity of water thus drawn through the canal, over what will be required for lockage, will be very valuable at all the three points above mentioned. From Milton to Northumberland, 4½ feet depth, may convey the water remaining.

The current in this canal above Milton would be nearly at the rate of a mile an hour, (17.30 + yards) which would accelerate the descending trade, but retard the ascending. If they were equal to each other, the advantage and disadvantage would be balanced; but as the descending trade would many times exceed the ascending, the current would be beneficial: Over seven feet of lockage is likewise saved in the 22 miles from Muncy hill to Northumberland, by the proposed descent.

By a comparison of the difference in expense of the two routes, taking into consideration the value of water rights, that might be disposed of, and of water rights, the purchase of which would be

dispensed with,\* (the river water being taken) and the sum saved by passing Muncy hill with a towing-path instead of a canal, and contrast them with the cost of a guard-lock and a lock to pass the river boats by the dam, with the cost of extra banks, to keep out the river floods, and there appears a difference in favor of the alteration of more than one hundred and twenty thousand dollars, to the saving of which sum, nothing can be objected, but that the passage along Muncy hill in flood time, will not be equal to the navigation of a canal.

Another piece of river navigation proposed. From Northumberland to Shamokin ripples, the river might be used, saving the thirty-two feet of lockage incurred by passing over Penn's creek summit; likewise the purchase of water rights on Penn's creek and Middle creek, with the cost of these feeders and aqueducts. The plan as follows:

Raise a dam at the Shamokin ripples five feet high, which would raise the water at Northumberland point, two and a half feet. From opposite Northumberland, carry a mound in the river, parallel with the shore  $1\frac{1}{2}$  miles, down to the dam, and a towing-path on shore. The mound carried to or near the surface of the river floods, would protect from the waves, the deep laden canal boats. From the dam, through a guard lock, let the canal follow down the river shore. The fall of the river below Shamokin ripples is such, that in less than a mile from said dam, extra banking to keep out the floods, would be at an end. At Penn's creek a lock of six and a half feet, would let the canal down to the level which passes M'Kee's falls. A level lower than this would deepen the rock cutting at and above said falls, and therefore inadmissible. As some descent ought to be given to bring the water from the river, through said piece of canal, the lock would be less than  $6\frac{1}{2}$  feet. Penn's creek would be made to correspond with said level, by raising the two dams belonging to the Selinsgrove millst a foot or so. Middle creek would be crossed by a dam, level with the paper-mill dam. The water from said works, must be passed in a deep tail race through a culvert under the canal.

- A guard lock on each side, to pass the creeks when flooded, will be necessary, both at Penn's creek, and at Middle creek. But should Penn's creek prove insufficient to supply a summit, which is somewhat probable, and make the necessity for the aqueduct absolute, then the two routes may be compared as follows:

If an aqueduct 800 feet long, over the Allegheny, costs \$70,000, one at Northumberland, 1500 feet long, may cost double that sum; the difference between the two places, in procuring good stone, being very great.

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\*There would be the Muncy creek factory, Muddy creek, Limestone run, and Chillisquaque mills.

† See map, No. 8, lower division.

Aqueduct over the West Branch,	\$140,000
Aqueducts at Penn's creek and Middle creek, are, in the estimates, at	4,500
Put the sum saved by using the river, instead of a canal, for the $1\frac{1}{2}$ + miles above mentioned,	10,000

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\$154,500

And the amount is  
Against which is to be set off the dams and four guard locks, (without walled chambers,) at Penn's creek and Middle creek, with the deepened tail-race at the paper mill, which may cost, together,

8,500

The extra banks to be given the canal below Shamokin ripples,

3,000

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11,500

The saving.

\$143,000

As the dam, at Shamokin ripples, would cost less than the water rights at said dam would be worth, nothing is set down for that item.

From the aggregate in page sixteenth,	\$ 1,176,654
Subtract the two sums above proposed to be saved,	263,000

And the remainder will be	913,654
Add 10 per cent. for contingencies, superintendence and engineers,	91,365

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And the amount is \$1,005,019

Which sum, being divided by 106 miles, makes \$9,481 + per mile.

*Upper Division, from West creek to the Bald Eagle.*

West creek may be considered as entering the Driftwood branch of the Sinnemahoning, at the west side of the range of the Allegheny mountains, although the ground dividing the eastern from the western waters, is fifteen miles still further west, and the river may be viewed as having passed through the Allegheny range at Queen's run, having ran, as measured on the canal line, a distance of seventy-one miles. The stream little exceeds the length of the canal line.

From West creek to Queen's run, the whole valley lies deep among the mountains. This stream, passing in contracted vales, or through narrow defiles, at the feet of towering eminences, has not, in all this distance, any falls or considerable rapids. In the whole of said distance through these mountains, there is not found, forming the bottom across the stream, any rock in place. At a time of extreme low water, an emigrant to the state of Ohio, cut a passage for his canoe, with his hoe, through every rapid, to the mouth of the portage branch, at the head of which branch, a brook of the Allegheny was turned down to the Susquehanna, a few years ago. Margins of arable land, bosomed among the moun-



tains, are found along the stream, sometimes very narrow, but seldom too narrow, or too circumscribed, for the adventurous mountaineer to set a house on.

Instead of roads, they on the water with their canoes, convey every thing. If a wagon is found on some of the best farms, it was brought there by water, and is destined to move only on the ground of the owner, or perhaps, to his next neighbor. A pack horse path has been made through the whole of this seventy one miles, and the canal line is run on the same side, always crossing the stream with the path. At very many of the narrows, the same side of the stream cannot be occupied, by both the road and the canal; a width for both would fill up the whole water course. A canal being made here, a road, and one for carriages too, would be indispensable, and it must be made on the opposite side from the canal, and at a great expense.

In the first eighteen miles below the mouth of West creek, the canal line crosses on the surface of the stream, above dams nine times. The crossing above the mouth of West creek, is by an aqueduct. The continual crossing the stream on its surface, makes a navigation not equal to an uninterrupted canal. Very high floods have risen, in one night; the rapid current thus produced, would stop the navigation for a day or two, while the flood subsides.

Considering the imperfection of this navigation, thus liable to delays, and even dangers, and the money saved by dispensing with the dams, guard locks, and towing path bridges, it is questionable whether a canal made altogether on the left bank, ought not to be preferred. A canal carried past the several narrows, by walling in the bed of the stream, would lessen the water-ways, throw the floods more on the lands, besides raising them higher. But as the floods do not rise high on the Sinnemahoning, nor is the water deep, the expense of walling in the stream, would be much less than in the Susquehanna, where the floods and depth of water is greater.

#### ESTIMATES—UPPER DIVISION.

MILE 1st.		MILE 16	
	89,080		5,100
2	6,500	17	6,380
3	5,300	18	6,385
4	7,157	19	6,069
5	4,360	20	15,213
6	4,360	21	7,718
7	6,413	22	9,756
8	6,551	23	6,647
9	6,551	24	14,655
10	6,127	25	5,489
11	4,060	26	27,776
12	6,451	27	5,540
13	6,874	28	8,806
14	5,100	29	13,087
15	8,160	30	15,582



## ESTIMATE—Continued.

MILE 31	5,500	MILE 56	11,787
32	12,177	57	22,007
33	15,050	58	31,295
34	15,767	59	5,079
Susquehanna west branch,		60	26,825
35	3,584	61	5,257
36	32,912	62	39,406
37	21,453	63	6,800
38	4,735	64	12,446
39	4,646	65	5,648
40	4,600	66	4,284
41	9,001	67	17,770
Kettle creek feeder,	2,000	68	20,658
42	31,450	69	31,889
43	47,300	70	20,395
44	7,000	Queens run feeder,	1,000
45	26,620	71	1,829
46	6,492	72	6,501
47	6,033	73	4,672
48	17,187	74	8,972
49	10,584		
50	7,170		905,803
51	19,625	Add for a mile further,	26,654
52	9,856		
53	8,525		8932,457
54	5,900		
55	25,520		

The above estimate from mouth of West creek, on the Drift-wood branch of the Sinnemahoning river to the Bald Eagle, giving the cost per mile, is for excavation, embanking, aqueducts, culverts and bridges, and the several feeders. The cost of fencing, waste weirs and lockage to be added.

## RECAPITULATION.

The whole lockage from a dam to be raised on West creek to the Pine creek level, is 498 feet at \$150 each,	92,700
There are 60 locks; a waste weir to each level, is 60 at \$150 each	9,000
Fencing—these 74 miles may require 100 miles of fence, which at \$240 per mile is	24,000
	119,700
Amount of the estimate per mile, is	932,457
Carried forward,	1,052,157

	Brought forward,	1,052,157
The purchase of water-rights,		6,000
Seventy four miles of road to be made,		148,000
		<hr/>
	Amount,	1,206,157
Add 10 per cent. for contingencies, superintendence, and engineers,		120,615
		<hr/>
	Total,	\$1,326,772
		<hr/>

Divide this total sum of \$1,326,772 by 75 miles, and the cost per mile is \$17,690.

I am, gentlemen, your most obedient servant, and respectfully submit the above,

JAMES GEDDES, Engineer.

*The board of the Pennsylvania  
Canal Commissioners,*

*Harrisburg, January 26, 1827.*

### No. 7.—*Juniata Route.*

## Report of the survey of the Juniata Route, by Canvass White, Esq.

*To the Pennsylvania Canal Commissioners.*

GENTLEMEN:

The contemplated communication between the Susquehanna and Allegheny rivers, by means of canals and rail-way, has been examined with the aid of Mr. G. T. Olmstead, assistant engineer, as far as the head waters of Juniata river. Indisposition prevented my accompanying the party any farther. The work was continued by Mr. Olmstead, my principal assistant; his maps and report will give a correct view of the country, and an estimate of the expense for constructing a canal from Johnstown to the Allegheny canal feeder. Previous to my indisposition, I made a partial examination of the country over which the rail-way must pass, and from the general appearance, I think the ground is favorably situated, considering the formidable barrier interposed between the eastern and western waters. A good turnpike road would probably answer all the purposes of transportation for several years, and a part of the bed could be occupied by the railway, whenever the business should require its construction. I would suggest the idea of making the canal boats in three or four pieces, to be divided transversely, and transported over the portage without changing the cargo.

The exploration for the canal was commenced on the west bank of the Susquehanna, below Sherman's creek, for the purpose of passing the river with an aqueduct; the line was carried along the valley of the river to the mouth of the Juniata, thence up the south bank of that river several miles, but the country was found to be unfavorable. The surface of the river above the falls, was assumed for the top water line, and the examination was then commenced at the east end of Duncan's island, where the Susquehanna is more than a thousand feet narrower than the point proposed for crossing below Sherman's creek. Two locks have been located at the end of the island, of 10 feet lift each, but are not numbered with the other locks along the line, not having determined the mode of crossing the river. I should propose passing it by means of a low dam from Duncan's island, or below Clark's ferry, at the upper reef of Foster's falls, which can be so constructed as not to interfere with the navigation of the river. If the dam should be raised four feet, it will make the two first locks eight feet lift each. My views on this subject, have heretofore been laid before the board. If an aqueduct should be adopted, the line of canal from the falls about five miles, must be raised, which will very much increase the expense; the bottom of the canal being but 16 feet above low water, will not be sufficient to pass the ice-floods and drift-wood. The aqueduct must be made sufficiently wide to allow boats to pass each other, in order to avoid delays, which must otherwise occur, in consequence of the great length of the aqueduct. From Duncan's island, the country is generally favorable for the construction of a canal on the left or north bank of the river, although the shores are in many places rocky, but do not present any very formidable difficulties. All the materials for the work can be conveniently procured, except stone for locks, that can be cut; the stone along the river are too hard for the chisel. Hydraulic cement has not been found convenient to the line. Locks may be so constructed with wood and rough stone, as to be durable and easily repaired;—the expense will be much less than stone locks. It should, however, be borne in mind, that great public works should be constructed in the most substantial manner; and wherever the nature of the case requires the use of timber exposed to decay, the work should be so planned as to be repaired during the winter season, thereby avoiding delays in the navigation.

An estimate of the expense for constructing a canal, 28 feet bottom, 40 feet surface of water, and 4 feet deep, is made for every mile, as near as circumstances will permit. Some deviation from the line as laid down on the maps may be made; but the general line cannot be deviated from much; the location of the locks may also be changed, probably for the better, in some places. The line when laid out for actual construction, will undoubtedly vary considerably in the amount of excavation and embankment. Some miles will require more, and some less; but in the whole may not vary materially. The locks are all 8 feet lift, except the last one, near the west end, which is 6 feet lift; and if built with wood and rough stone, they may be estimated at \$1,500; but if built with

stone laid in hydraulic cement, they should be estimated at \$1,000 per foot lift. The ground is generally favorable for the location of the locks, for no expensive rock excavation will be found necessary for the pits, although many will be founded on rock.

In estimating the expense of the aqueduct, they are calculated to be constructed with stone abutments and piers, with wooden superstructures. The culverts to be of stone, laid in cement. The number of bridges, as near as could be ascertained, have been noted, and amount to about 80; more will undoubtedly be found necessary during the progress of the work; they are estimated at \$200 each, to be built with stone abutments and wood superstructures. The quantity of fence necessary for the protection of farms through which the canal must pass, has not been ascertained, but probably will not amount to more than two-thirds of the whole distance, for both sides, and is estimated at 72 cents per perch. Feeders can be taken from the river at convenient points, but could not be judiciously located, without reviewing the ground, which time would not permit. I shall therefore put down this item at \$50,000; for dams, guard gates, and other necessary works.

The canal line terminates in a basin between the south and west branches, above Frankstown, at what may be called the foot of the Allegheny mountain, from which a turnpike road, or railway, must be made to connect with the navigation on the west side of the mountain.

The Juniata was gauged at the confluence of the south and west branches, and was found to afford, in very low water, 521 cubic feet per minute. Bench marks have been frequently made along the line, and stakes placed to designate the track.

The work on the west side of the mountain can be executed considerably cheaper than on the east, owing to the difference in price of provisions and labor.

**MILE 1.** Begins at the Susquehanna river on the east end of Duncan's island, and passes over good ground for a canal, along the north margin of the Island. Soil—sandy, loam and gravel.

Excavation 22,241 cubic yards, at 10 cents per yd. \$2,224 10

**MILE 2.** Continues along the margin of the island. Some extra cutting will be necessary through a piece of timbered land. The line then crosses a branch or arm of the Susquehanna, which empties into the Juniata; another branch returns to the Susquehanna, at the starting point of the canal, and forms a larger island above the one on which the canal line passes. The branch may be passed with an embankment, which is considered preferable to passing it with an aqueduct. Surface of water 10.18 feet below. The line crosses the turnpike road, which will require a bridge.

Excavation, 27,166 cubic yards, at 10 cents,	2,716 60
Embankment, 10,682 cubic yards, at 12 cents,	1,382 16
Grubbing,	200 00

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**\$4,098 76**

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**MILE 3.** Passes over good ground about half the distance to the point of a ridge which puts down to the river, and must be cut through—some rock will be met with in the excavation. The line then passes along the foot of a hill, in the bed of the river, and must be embanked and protected from the floods with a sloping stone wall, or heavy pavement. One bridge will be required for a ferry road. Some grubbing necessary.

Excavation, 13,916 cubic yards, at 10 cents,	1,391 60
Embankment, 44,523 cubic yards at 16 cents,	7,123 68
Wall, 3,261 cubic yards, at 60 cents,	1,956 60
Rock, 620 cubic yards, at 62 cents,	384 40
Grubbing,	100 00
	<hr/>
	\$10,956 28

**MILE 4.** Commences at the end of the bluff, on last mile, and runs on a flat one chain wide—tolerably good excavation for 32 chains; then runs along at the foot of a rocky hill, for 9 chains—then another short piece of bottom land. A part of the mile is embankment in the bed of the river, outside of the turnpike, so as to make the wall that supports the road, one side of the canal. The turnpike will require raising from 4 to 5 feet—there will be some difficulty in obtaining earth for embankment—it must be carted some distance—the bank must be protected with a slope wall.

Excavation, 21,461 cubic yards, at 10 cents,	2,146 10
Embankment, 23,510 cubic yards, at 20 cents,	4,702 00
Wall, 2,040 cubic yards, at 62 cents,	1,264 80
	<hr/>
	\$8,112 90

**MILE 5.** The first 28 chains is a continuation of the rocky bluff—the remainder passes over an uneven surface—difficult excavation—some deep cutting along the margin of the river. Lock No. 1, at the end of the mile; considerable grubbing; a few chains of the turnpike will require raising; the bank must be protected with a slope wall.

Excavation, 22,360 cubic yards, at 12 cents,	2,683 20
Embankment, 29,700 cubic yards, at 20 cents,	5,940 00
Wall, 2,860 cubic yards, at 62	1,773 20
Grubbing,	150 00
	<hr/>
	\$10,546 40

**MILE 6.** Passes over gravelly soil and stony, difficult to excavate; for the most part through woods, parallel with the turnpike; the line passes the head of Juniata falls and Watson's ferry. A bridge must be built for the accommodation of the ferry. Lock No. 2. near the end of the mile.

Excavation, 26,610 cubic yards, at 13 cents,	3,459 30
Embankment, 4,854 cubic yards, at 13 cents,	631 02
Grubbing,	550 00

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\$4,640 32

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**MILE 7.** Crosses Brightfield's run, shortly after the commencement; this creek is 7.59 below, 50 links wide, and must be passed with an aqueduct. After passing the run, the ground is generally even and good excavation; some places large stone on the surface. Some embankment will be required at Brightfield's run.

Excavation, 20,430 cubic yards, at 11 cents,	2,247 30
Embankment, 3,584 cubic yards at 13 cents,	463 92
Aqueduct,	1,345 00

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\$4,058 22

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**MILE 8.** Crosses a small creek, that is 8.26 below, and must be passed under the canal; the line runs, for a short distance, on the margin of the river, along the side of a gravelly ridge—good excavation; then crosses a point of woodland; some large stone, after which the ground is good.

Excavation of 22,725 cubic yards, at 11 cents,	\$ 2,499 75
Embankment 1200 do. 12	144 00
Aqueduct	1,427 00
Grubbing	178 00

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\$ 4,248 75

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**MILE 9.** Passes over a flat, one chain and a half wide, and runs by the side of the turnpike; the whole distance along the foot of a steep hill; some extra cutting cannot be avoided; soil is sandy loam, clay and round stone.

Excavation, 22,026 cubic yards, at 12 cents,	\$ 3,850 32
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**MILE 10.** Passes over hard stony ground, for 32 chains, to lock No. 3; then runs on sideling ground; good excavation; and crosses the turnpike, which will require a new road above the canal, about 32 chains. One small brook will require a culvert, and a bridge for Power's terry road.

Excavation of 24,085 cubic yards, at 11 cents,	2,649 33
32 chains of turnpike road, \$37	1,184 00
Culvert, ,	300 00

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\$ 4,133 35

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**MILE 11.** Passes over clay loam and gravelly soil, on the level required; some grubbing will be necessary, and a culvert, to pass a small brook; also a road bridge.

Excavation of 22,600 cubic yards, at 12 cents,	2,712 00
Grubbing,	150 00
Culvert,	350 00

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\$ 3,212 00

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**MILE 12.** Will require considerable extra excavation, which cannot be avoided. Near the end of the mile is a projecting point of rock, which must be cut off, and an embankment of 12 chains, in the bed of the river, nine feet below, and will require walling—one farm bridge.

Excavation of 26,960 cubic yards, at 12 cents,	\$ 8,235 20
Embankment, 14,320 do. 15	2,148
Rock, 400 do. 60	240
Wall, 1,545 do. 62	957 96

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\$ 6,581 10

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**MILE 13.** The first part of this mile runs on a narrow flat, with extra cutting; the line then passes along the foot of a very precipitous and rocky hill on the river, and will require embankment and wall; the surface of water 6 feet below. The surplus earth, in the excavation, will serve in part for the embankment; the residue can be taken from the opposite side of the river.

Excavation, 19,174 cubic yards, at 10 cents,	1,917 40
Embankment, 37,050 do. 20	7,410
Wall 4,508 do. 62	2,794 96

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\$ 12,122 36

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**MILE 14.** Continues 16 chains under the hill last mentioned. Lock No. 4, at the beginning of a small flat covered with timber, which continues 8 chains; then another bluff of 12 chains, requiring embankment; after which a short piece of stony excavation, and another bluff, which continues to the end of the mile—bed of the river 11.58 below.

Excavation, 9,082 cubic yards, at 12 cents,	1,089 84
Embankment, 70,637 do. 18	12,714 66
Wall, 5,480 do. 62	3,397 60

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\$ 17,202 10

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**MILE 15.** Passes over rough, stoney ground, to Wild Cat creek, which must be passed with an aqueduct 150 feet in length; surface of the creek 11 feet below. After passing the creek, the ground is good—some grubbing.

Excavation, 27,640 cubic yards, at 12 cents,	3,316 80
Grubbing,	200
Aqueduct,	2,550

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\$ 6,066 80

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**MILE 16.** The first part of this mile will require embankment in the river, to pass a rocky ledge, 7.70 below; the ground is then gravelly, with round stone, and deep cutting along the bank of the river. The line crosses a ferry road, and a small creek that will require a culvert. The extra cutting will furnish stuff for the embankment.

Excavation,	26,268 cubic yards, at 13 cents,	3,414 84
Embankment,	25,400 do. 16	4,064
Wall,	2,451 do. 62	1,519 62
Culvert,		681
Grubbing,		100
		<hr/> \$ 9,779 46 <hr/>

**MILE 17.** Passes over sideling ground, and crosses the Cocalamus creek, one chain wide, and 7 feet below—some extra cutting on the east bank. Lock No 5 on the west bank of the creek; the ground is then good for the remainder of the mile—some extra cutting—one bridge will be necessary for the ferry road.

Excavation,	31,390 cubic yards, at 12½ cents,	3,923 75
Aqueduct for Cocalamus creek,		1,850
		<hr/> \$ 5,773 75 <hr/>

**MILE 18.** Passes over very good ground for a canal; soil. sand, gravel and some cobblestone—passes the village of Millerstown—some grubbing on the west end of the mile—a culvert will be required for a very copious spring—two bridges for the streets.

Excavation,	26,600 cubic yards, at 11 cents,	2,926
Culvert,		240
Grubbing,		50
		<hr/> \$ 3,216 <hr/>

**MILE 19.** Passes through the gap of Tuscorara mountain, the first part is gravelly soil, in woods, some excavation of rock will be necessary near the middle of the mile—the remainder is gravelly on the margin of the river, and extra cutting.

Excavation,	31,309 cubic yards, at 13 cents,	4,070 17
Rocks	796 do. 75	597
Grubbing,		150
		<hr/> \$ 4,817 17 <hr/>

**MILE 20.** Crosses a small creek that must be passed under the canal; the line runs over gravel and clay soil, and crosses a private lane. Lock No. 6.



Excavation 22,780 cubic yards at 12 cents	\$2,733 60
Culvert	900

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\$ 3,693 60

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**MILE 21.** The first 18 chains is easy to excavate, the next 22 chains will require considerable embankment along the side of a steep ridge of rock and loose stone. and for a short distance the turnpike must be raised; the ground is then good the remainder of the mile. One bridge will be required.

Excavation 16,430 cubic yards, at 12 cents,	1968 36
Embankment, 16,728 do. 13	2174 64

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\$4,143

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**MILE 22.** Runs on a flat of good excavation, along the foot of a steep ridge for about half the distance, then a steep gravelly ridge runs down to the river, requiring half the width of the canal to be cut into it, about 24 chains to form the bank, the outside of which will reach the water; the remainder of the mile good ground for a canal.

Excavation, 29,300 cubic yards, at 11 cents,	\$3,223
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**MILE. 23.** Passes over very stony ground, on flat or bottom land. Crosses Delaware creek, which is 10 feet below, and bed 30 links wide; the valley is two chains wide; will require embankment. After crossing the creek the ground has a gentle ascent north; full of small round stone. Crosses the Thompsonston road.

Excavation 24,110 cubic yards, at 13 cents,	\$3,134 30
Embankment 2,640 do. 13	\$43 20
Aqueduct,	1,982

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\$5,459 50

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**MILE 24.** Is good for a canal, except 4 chains, that is too low at a little run, where a culvert will be required; 2 farm bridges on this mile.

Excavation, 22,860 cubic yards, at 11 cents,	2,514 60
Embankment, 3,100 do. 12	372
Culvert	420

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\$3,306 60

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**MILE 25.** The first 16 chains passes through woods over bottom land—good excavation—the next 40 chains runs in a wet swampy piece of ground, about the required level, at the foot of a steep ridge; the water can be easily drained—the ground then rises suddenly to 9 feet above, and continues extra cutting the remainder of the mile.

Excavation,	36,000 cubic yards, at 13 cents,	4,680
Grubbing and clearing,		540
		<hr/>
		\$ 5,220 00

MILE 26. Passes over sideling ground on the margin of the river and incurs deep cutting—that cannot be avoided. The soil is gravelly loam, good to excavate.

Excavation	43,400 cubic yards, 10½ cents,	\$4,557 00
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MILE 27. About 6 chains of this mile is good excavation, the remainder requires embankment along the foot of a limestone ledge, partly in the bed of the river, a culvert will be necessary to pass a brook, also two bridges; a wall will be necessary to protect the embankment part of the ledge. River 11 feet below.

Excavation,	13,100 cubic yards, at 11 cents,	1,310
Embankment,	18,812 do. 16	3,009 92
Culvert,		376
Wall,	1,530 do. 60	918
		<hr/>
		\$ 5,613 92

MILE 28. Passes over gravelly loam on bottom land—2 bridges.

Excavation,	20,970 cubic yards, at 10 cents,	\$2,097 00
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MILE 29. Some part of this mile will require extra cutting, on the bank of the river, mostly sandy loam and gravel; near the west end a considerable embankment must be made, under a high bank of limestone, alternating with slate; a low stony beach along the river covered only in high water, forms a good foundation for the bank; a wall will be necessary—stone can be easily obtained.

Excavation,	27,840 cubic yards, at 10½	2,923 20
Embankment,	19,890 do. 16	3,182 40
Wall,	2,568 do. 50	1,284
		<hr/>
		\$7,389 60

MILE 30. Crosses Do run at New Mexico, 10,80 below 20 links wide, one large arch would discharge the water in time of floods, also crosses a dry ravine, that will require a culvert to pass the water in time of heavy rains—the excavation is generally good.—Lock No. 8. located on this mile—two road bridges will be required.

Excavation,	26,700 cubic yards at 11 cents,	2,937
Embankment,	2,160 do. 14	302 40
Two culverts		1,580
		<hr/>
		\$4,819 40

**MILE 31.** Passes generally over sideling ground near the bank of the river; gravelly soil and easy to excavate.

Excavation, 22,400 cubic yards, at 11 cents,	\$2,464 00
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**MILE 32.** Passes for the first part along the margin of the river; some deep cutting is necessary; soil gravelly loam. An embankment is necessary to pass a projecting point of rock, a part of which must be cut off. The rock is composed of slate, lime and sand stone. The remainder is good excavation. A culvert will be required.

Excavation,	30,000 cubic yards, at 12 cents,	\$3,600
Embankment	13,800 do 16	2,208
Wall,	900 do 50	450
Rock,	470 do 60	276
Culvert,		350
		6,884

**MILE 33.** Will require some embankment to cross a ravine, and a culvert for the brook. A new channel must be made for the brook; the line crosses it twice in four chains. A part of this mile runs along the side of a steep gravelly bank, on the margin of the river. The outside bank of the canal will run near the water's edge and will require some protection from the floods. Some grubbing. Lock No. 9, on the west end of this mile.

Excavation,	38,152 cubic yards, at 12 cts.	\$4,578 24
Embankment,	8,620 do 14	1,206 80
Wall,	841 do 62	521 42
Grubbing,		150
Culvert,		560
		\$7,016 46

**MILE 34.** The first 32 chains will be hard stony excavation on sideling ground; then a short piece of embankment along the river. The line then passes over a narrow flat and crosses a creek 10.50 below. Soon after passing the creek an embankment becomes necessary to pass a bluff of slate rock; surface of river 11.22 below. An island opposite will afford good material for embankment. The line passes the village of Mifflin. One bridge for the ford.

Excavation,	15,840 cubic yards, at 14 cents,	\$2,218 72
Embankment,	32,636 do 20	6,527 20
Wall,	8,220 do 70	2,254
Large culvert,		1,450
		12,449 92

**MILE 35.** The first 8 chains, is a continuation of the last mentioned embankment, the next 56 chains runs over bottom land easy

to excavate, crosses a small brook that must be passed under the canal. Lock No. 10, on bank of river, the remainder is on the side of a stony ridge, and will be difficulty to excavate.

Excavation,	23,904 cubic yards at 20 cts.	4,780 80
Embankment,	10,632 do. 15	1,594 80
Wall,	962 do. 70	678 40
Culvert,		436
		<hr/>
		\$ 7,185 00

MILE 36. Passes for the first part along the side of a gravelly ridge to the bank of Lost creek 18.50 below which must be passed with an aqueduct 200 feet in length. The ground after crossing the creek is a little too low for about 8 chains, after which the line passes on sideling ground, consisting of gravel and stone, and ends in the valley of a small creek.

Excavation,	24,624 cubic yards at 13 cts.	3,201 12
Embankment,	6,880 do. 16	1,100 80
Aqueduct,		3,845 00
		<hr/>
		8,146 92

MILE 37. Commences in the valley of a small creek that will require a culvert, then runs twenty four chains across a flat of good excavation; the next ten chains is along the side of a steep gravelly ridge, mostly in the river. Lock No. 11, at the west end of the embankment; from the lock tolerable good excavation to the end of the mile.

Excavation	22,376 cubic yards, at 12½ cents,	2,822
Embankment,	9,582 do. 16	1,533 12
Wall	840 do. 75	630
Grubbing,		100
Culvert,		415
		<hr/>
		5,500 12

MILE 38. Passes over indulating ground, consisting of gravelly loam and stone; near the middle of the mile the turnpike touches the canal and will require raising; two small brooks will fall into the canal on this mile.

Excavation,	24,552 cubic yards at 14 cts.	3,437 28
Embankment,	3,440 do. 15	516 00
Grubbing,		58
		<hr/>
		4,011 28

**MILE 39.** Runs about parallel to the turnpike, or between the turnpike and river; over an uneven surface; difficult excavation, entrance to Long Narrows; ground covered with small timber.

Excavation, 26,560 cubic yards, at 15 cents,	3,984 00
Grubbing,	250 00
	<hr/>
	\$4,234 00

**MILE 40.** Passes over sideling ground for half the distance; many places large masses of detached rock on the surface; the remainder runs along between the turnpike and the river; will encounter some deep cutting. Considerable grubbing, some of it large timber.

Excavation, 30,508 cubic yards, at 13 cents,	3,973 84
Grubbing,	370 00
	<hr/>
	\$4,343 84

**MILE 41.** The first 16 chains passes along the margin of the river, over gravelly soil and round stone, to lock, No. 12; the remainder of the mile passes along the lower side of the turnpike; some places the bank can be made on a narrow flat; in others in the bed of the river; the turnpike is too low in some places, and must be raised. The hill along which the canal runs, is very precipitous, but will generally afford rough materials to form the outside of the bank; but good water tight earth, will be difficult to obtain. A protecting wall will be necessary along part of this mile; stone are convenient.

Excavation, 13,080 cubic yards, at 13 cents,	1,700 40
Embankment, 42,552 do. at 15 do.	6,382 80
Lining, 21,240 do. at 20 do.	4,248 00
Grubbing	350 00
Wall, 4,820 cubic yards, at 50 cents,	2,410 00
	<hr/>
	\$15,091 20

**MILE 42.** Continues to pass along between the river and the turnpike, in the narrows; average of embankment, 9 feet below; stone in sufficient quantities for the wall can be had along the line. Earth and stone, that has the appearance of having fallen from the hill, can be taken from above the turnpike, for outside of the bank, no excavation of consequence.

Embankment, 61,646, cubic yards, at 15 cents	9,246 90
Lining, 33,640 do. 25 do.	8,410 00

Wall, 7,231	do.	50	do.	3,615 50
Grubbing,				350 00
				<hr/>
				\$21,622 40
				<hr/>

**MILE 43.** The first 12 chains continue along the side of the turnpike—it then diverges and runs over very good ground, for 36 chains, very good excavation; then commences embankment, and continues to the end of the toll gate.

Excavation, 11,952 cubic yards, at 12½ cents,				1,494 00
Embankment, 40,564	do.	18	do.	7,301 52
Wall, 3,640	do.	50	do.	1,820 00
Grubbing,				450 00
				<hr/>
				\$11,066 52
				<hr/>

**MILE 44.** Runs on flat or bottom land; 16 chains and extra cutting, to lock, No. 13. The extra earth must be carried back to the embankment on the last mile; the remainder of the mile is gravelly loam and sand; some grubbing.

Excavation, 31,762 cubic yards, at 12 cents,				3,811 44
Grubbing,				125 00
				<hr/>
				\$3,936 44
				<hr/>

**MILE 45.** Is generally good for about half the distance; then a point of sandstone put down, which must be excavated for 5 chains, after which the ground is very good. Jack's creek crosses the line on this mile 13.78 below, and will require an aqueduct 100 feet in length; some embankment will be necessary about the creek; also, a farm bridge.

Excavation, 22,696 cubic yards, at 12 cents,				2,723 52
Embankment, 2,468	do.	14	do.	344 82
Rock, 1,466		75	do.	1,099 50
Aqueduct,				2,120 00
				<hr/>
				\$6,287 84
				<hr/>

**MILE 46.** Passes over clayey soil along the foot of a ridge, to lock, 14; the ground ascends gradually to the level of the second bottom or flat; the line follows along the margin of the ridge over clay loam, and gravelly soil; good excavation to within a few chains of the Kishacoquillis creek, where an embankment becomes necessary and an aqueduct, to pass the creek, which is 17.83 below. This stream would be valuable as a feeder, and can be taken into the canal by a cut of ½ of a mile. One bridge.

Excavation, 24,236 cubic yards, at 12 cents,	2,908 52
Embankment, 4,725 do. 16 do.	756 00
Aqueduct,	2,450 00
	<hr/>
	\$6,114 52

**MILE 47.** Commences at Lewistown and passes for twenty-one chains along the foot of a steep ridge, on a flat 2 chains wide; gravelly soil—then runs along the side of a steep ridge on the margin of the river, for 20 chains; some slate rock will be met with on the bottom of the excavation; the remainder of a mile is on a flat along the foot of a gravel ridge; good excavation; the line crosses two small runs, that must be let under the canal. One bridge for the street at Lewistown, and a farm bridge.

Excavation, 28,560 cubic yards, at 13 cents,	3,712 80
2 culverts,	840 00
	<hr/>
	\$4,552 80

**MILE 48.** Passes on a narrow flat at the foot of a gentle ascent of a gravelly loam for 60 chains; the line crosses two brooks; one will fall into the canal, the other will require a culvert; the remainder of the mile will be embankment in the bed of the river 16 feet below, under a high bluff of slate and grawake rocks. The earth for embankment can be procured from either end of the bluff.

Excavation, 19,920 cubic yards, at 12 cents,	2,390 40
Embankment, 46,243 do. 19	8,786 12
Wall, 2,832 do. 62	1,755 84
Culvert,	450 00
	<hr/>
	\$13,382 36

**MILE 49.** The first 6 chains is embankment; the next 20 chains runs on a narrow flat in woods along the foot of a steep hill, tolerably good excavation; then a short piece of embankment, partly in the river; after which the ground is good.

Excavation, 19,662 cubic yards, at 12 cents,	2,359 44
Embankment, 26,208 do. 18	4,717 44
Wall, 1,520 do. 70	1,134
Grubbing,	175
	<hr/>
	\$ 8,385 88

**MILE 50.** Passes over sandy loam, and for a short distance at the beginning there will be some extra cutting that cannot be avoided; one bridge will be necessary.

Excavation, 26,560 cubic yards, at 11 cents,	\$2,921 60
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**MILE 51.** Passes along the margin of the river over sandy loam; extra excavation cannot be avoided; an embankment will be neces-

sary towards the west end of this mile, to pass a high bluff of slate rock from 6 to 10 feet below.

Excavation,	30,526 cubic yards, at 11½ cents,	3,510 49
Embankment,	31,896 do. 18	5,741 28
Wall,	2,441 do. 65	1,586 65
		<hr/> \$10,838 42

**MILE 52.** Commences on a narrow flat of good excavation, a few chains to lock No. 15. Near the lock, the river takes a short turn to the left, the line cuts across the bend 32 chains, from 1 to 6 feet too high; the extra earth can be disposed of in an embankment that becomes necessary to pass a very precipitous and rocky hill of decomposed limestone and slate, embankment 15 feet below. The remainder of the mile is good excavation; one farm bridge.

Excavation,	28,340 cubic yards, at 12 cents,	3,400 80
Embankment,	54,762 do. 18	9,853 16
Wall,	3,472 do. 70	2,430 40
		<hr/> \$15,684 76

**MILE 53.** Passes generally over bottom land, easy of excavation. Five ravines and brooks cross the line on this mile, two of which will require culverts; one farm bridge.

Excavation,	22,655 cubic yards, at 11 cents,	2,492 05
Embankment,	1,635 do. 15	245 25
Two culverts,		928 00
		<hr/> \$ 3,665 50

**MILE 54.** Passes for the most part along the margin of the river at the foot of a gentle declivity; soil, sandy loam and gravel; a public road crosses the line; a culvert will be required for a brook.

Excavation,	26,242 cubic yards, at 12 cents,	3,149 04
Culvert,		934 00
		<hr/> \$4,133 04

**MILE 55.** The first 8 chains runs along at the foot of a steep gravelly ridge; the next 24 chains run on a stoney beach at the foot of a sandstone ledge from 4 to 10 feet below—the outside of the bank will require walling. Brightfield's run enters within this point 10.67 below, and will require an aqueduct. Lock No. 16, at the end of the bluff, after which the ground is good; the line crosses two small runs, which must be passed under; one farm bridge.

Excavation,	16,244 cubic yards, at 12 cents,	1,951 68
Embankment,	25,440 do. 18	4,579 20
Wall,	2,164 do. 60	1,310 40
Two culverts,		1,275 00
		<hr/> \$9,116 28



**MILE 56.** Is generally good excavation, 20 chains which passes a limestone ledge, will require embankment in the bed of the river 17.30 below, and protected with a wall; one farm bridge.

Excavation,	20,852 cubic yards, at 12 cents,	2,430 24
Embankment,	27,056 do. 18	4,870 08
Wall,	2,660 do. 62	1,649 20
		<hr/> \$8,949 52

**MILE 57.** Begins in the woods on a low flat, crosses a ravine 2 chains wide, and will require a culvert; good excavation until the point of a ridge puts into the river, and will require half the width of the canal to be cut into the ridge to get stuff sufficient for the bank, a short piece of which must be protected by a wall; the remainder of the mile is good excavation; one farm bridge.

Excavation,	23,904 cubic yards, at 12 cents,	2,868 48
Embankment,	7,780 do. 13	1,011 40
Wall,	1,242 do. 62	770 04
Grubbing,		450 00
Culvert,		975 00
		<hr/> \$6,074 92

**MILE 58.** Passes generally over sideling ground. Soil sandy, loam and gravel, with small round stone, some timber on the west end.

Excavation of 22,640 cubic yards, at 12½ cents,	2,830
Grubbing	70
<hr/>	

2,900

**MILE 59.** Passes along the foot of a low ridge over clay and gravel, generally easy to excavate. Wakefields creek and another small run crosses the line; the bed of the creek is ten feet below and 50 links wide; a public road crosses the line, near the beginning of this mile.

Excavation,	26,847 cubic yards at 12½ cents,	3,283 37
Aqueduct and culvert,		1,838
		<hr/> 5,121 37

**MILE 60.** Begins with a rocky bluff requiring an embankment in the bed of the river 14 chains 9.7 below. Lock No 17, at the west end of the embankment, the line then passes along the foot of the high land; good excavation, one farm bridge will be necessary.

Excavation,	18,606 cubic yards at 12 cents,	2,232 72
Embankment,	18,678 do. 18	3,362 04
Wall,	1,680 do. 62	1,041 60
		<hr/> 6,636 36

**MILE 61.** The first part runs on the side of a steep gravelly ridge near the bank of the river, considerably undulating; the last 32 chains is over a gentle slope, rather difficult excavation; 14 chains is through timbered land.

Excavation,	22,463 cubic yards at 13 cents.	2,920 19
Grubbing,		100
		<hr/>
		3020 19

**MILE 62.** The first 48 chains of this mile passes over sideling ground; some large stone on the surface, and some limestone rock may be met with in the bottom of the excavation. a small creek crosses the line 11.38 below, 50 links wide; after crossing the creek, there is 18 chains of good excavation, then an embankment continues past the town of Waynesburg to the end of the mile; the bed of the river is 13 feet below.

Excavation,	15,848 cubic yards at 12½ cents	1981
Embankment,	42,072 do. 18	7,572 96.
Wall,	2,928 do. 70	2,049 60
Culvert,		1,565
		<hr/>
		13,168 56

**MILE 63.** Will require some extra cutting, after crossing M<sup>r</sup>-Vays run and some embankment, ravine 12.50 below, a large arch will discharge the water; the line continues along the bank of the river and crosses another run requiring a culvert, Lock No. 18, a rocky bluff commences and occupies the last 4 chains of this mile, requiring a heavy embankment; a bridge for a road at the beginning of this mile.

Excavation,	31,537 cubic yards at 12 cents,	3,784 44
Embankment,	9,248 do. 16	1,479 68
Wall,	568 do. 60	840 80
3 Culverts,		1,843 00
		<hr/>
		7,447 92

**MILE 64.** Commences with a continuation of the heavy embankment which extends 16 chains along the points of slate rock, then a low piece of bottom land begins, across which the line runs for 24 chains along the foot of a steep ridge, the side of which will afford earth for the embankment; the residue of the mile is not very good excavation; a brook crosses the line 11 feet below which must be passed under the canal; one farm bridge will be required.

Excavation,	16,980 cubic yards, at 12	2,037 60
Embankment,	52,848 do. 16	5,253 68
Wall,	4,254 do. 60	1,340 40
Culvert,		620
		<hr/>
		9,253 68

**MILE 65.** Passes over good ground for a canal, sandy loam, easy to excavate, will require one farm bridge.

Excavation,	22,646 cubic yards, at 11 cents,	2,491 06
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**MILE 66.** A part of this mile is very stony and difficult to excavate, 24 chains is through heavy timbered land; one brook will fall into the canal; one bridge will be necessary.

Excavation,	26,325 cubic yards at 13 cents,	3,422 38
Grubbing,		240

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3,662 88

**MILE 67.** Passes along the margin of the river 24 chains to lock No. 19, near a ripple called Samuel's fish dam. The residue runs over sideling ground, sandy loam easy to excavate.

Excavation,	25,608 cubic yards at 11 cents,	2,824 80
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**MILE 68.** Will require 8 chains of heavy embankment to pass a high rocky hill. It will be necessary to excavate about three chains of limestone before coming to the embankment, after passing the bluff; the point of a ridge 4 feet too high, must be cut through, then good excavation to the end of the mile; the line crosses a brook that is 10 feet below, which will require a culvert.

Excavation,	19,527 cubic yards, at 12 cents,	2,343 24
Embankment,	14,024 do. 16	2,243 84
Rock,	849 do. 60	509 40
Wall,	1,136 do. 50	568
Culvert,		538

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\$ 6,02 48

**MILE 69.** Passes, for the most part, along the margin of the river, in a road, at the foot of a high, rocky hill; the road, in places, must be moved; some extra cutting cannot be avoided, and some grubbing necessary.

Excavation,	27,843 cubic yards, at 12½ cents,	3,480 37
Grubbing,		166
24 chains of road,		380

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\$ 4,020 37

**MILE 70.** This mile continues in the road 64 chains, to the bank of Beaver dam run, which is 8 feet below, and will require a large culvert; some embankment will be necessary, after crossing the run. Lock No. 20 near the west end of the mile.

Excavation,	23,512 cubic yards, at 12½ cents,	2,937
Embankment,	6,680 do. 13	868 40
Culvert,		1,375
64 chains of road,	20' dolla.	1,280

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\$ 6,462 40

**MILE 71.** The excavation will not afford sufficient earth to form the banks for the first 24 chains; the remainder passes over excellent ground for a canal, to the end of the mile; two bridges will be required.

Excavation,	19,521 cubic yards, at 12 cents,	2,342 52
Embankment,	5,832 do 15	874 80
		<hr/>
		\$ 3,217 32

**MILE 72.** Begins with lock No. 21, and passes over good land for a canal; soil gravelly, loam and small stone; some embankment will be necessary at a small ravine and brook; 16 chains pass through woods; one bridge will be required. This mile passes Aughwick falls.

Excavation,	25,116 cubic yards, at 12½ cents,	3,159 50
Embankment,	1,442 do 13	187 46
Grubbing		160
		<hr/>
		3,486 96

**MILE 73.** Passes over gravel and cobblestone, for half the mile, to lock No. 22; difficult to excavate. The line crosses the outlet of a large spring, at Newton Hamilton, that will require a culvert; the remainder is good excavation, and crosses another brook, that will require a culvert; one bridge will be necessary.

Excavation,	25,920 cubic yards, at 13 cents,	3,369 60
Two culverts,		950
		<hr/>
		4,319 60

**MILE 74.** Passes over an undulating surface, generally along the margin of the river; soil gravelly loam; embankment will be necessary to pass a small ravine. The canal will destroy a tan yard; some grubbing; the latter part runs at the foot of a rocky hill; 18 chains of road must be moved.

Excavation,	27,263 cubic yards, at 12½ cents,	3,410 37
Embankment,	1,642 do 13	213 46
Grubbing,		150
Removing road,		240
		<hr/>
		4,013 33

**MILE 75.** Passes generally over sideling ground; soil gravelly loam, good excavation. Lock No. 23, near the west end of this mile.

Excavation,	19,060 cubic yards, at 12 cents,	2,284 80
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**MILE 76.** Passes over ground very favorable for a canal; soil gravelly loam; 14 chains of timbered land.

Excavation,	19,685 cubic yards, at 12 cents,	2,362 20
Grubbing		140
		<hr/>
		2,402 20

**MILE 77.** Is good ground for a canal about sixty chains, then a steep stony side hill, having a narrow flat at the base, which is six feet too low, and on which the bank must be made; sixteen chains of timbered land. Lock No. 24 about the middle of the mile.

Excavation,	21,248 cubic yards, at 12 cents,	2,549 76
Embankment,	11,866 do. 16	1,818 56
Grubbing,		160
		<hr/> 4,528 32

**MILE 78.** Is favorable ground for a canal—one culvert will be required—two public roads cross the line—some grubbing will be necessary.

Excavation,	26,463 cubic yards, at 12 cents,	\$,175 56
Embankment,	1,440 do. 14	201 60
Culvert,		\$70
Grubbing,		200
		<hr/> \$ 3,947 16

**MILE 79.** Lock No. 25 is located near the beginning of this mile; the line passes over an uneven surface; soil sandy loam, gravel and clay; generally good excavation; two small brooks will fall into the canal; 20 chains through woods.

Excavation,	27,371 cubic yards, at 12½ cents,	3,421 37
Grubbing,		200
		<hr/> \$5,621 37

**MILE 80.** Crosses three points of ridges from one to four feet too high, is considerably undulating, and difficult excavation, about 54 chains; then an embankment becomes necessary in the river, 11 feet below, along a high perpendicular limestone ledge, to the end of the mile; some grubbing, and one bridge; the embankment must be walled.

Excavation,	18,592 cubic yards, at 12½ cents,	2,324
Embankment,	35,376 cubic yards, at 19 cents,	6,724 44
Wall,	2,960 cubic yards, at 60 cents,	1,776
Grubbing,		150
		<hr/> \$10,974 44

**MILE 81.** Is a continuation of the embankment along the bluff about twenty-eight chains, the line then passes over a narrow flat, 10 feet above, about 18 chains to lock No. 26; the extra earth will afford material, in part, for the embankment; 10 chains from the lock commences another embankment in the river, which continues to the end of the mile, along a ledge of slate rock; river 12.50 below; the wall must be continued to the end of the embankment.

Excavation, 16,473 cubic yards at 12 cents,	1,976 76
Embankment, 45,548 cubic yards, at 18 cents,	13,796 64
Wall, 6,292 cubic yards, at 62 cents,	3,901 04
	<hr/>
	\$19,674 44

**MILE 82.** Will require four chains of embankment at the beginning, then 12 chains of excavation, in which some rock will be met with; the next 26 chains pass under high cliffs of rock, sometimes occupying the road—Jack's narrows, considerable embankment will be necessary; there will be some difficulty in obtaining material for embankment; a wall be required. The remainder of the mile, rough and uneven, but will afford excavation sufficient to form the bank; a bridge will be required for Drake's ferry road.

Excavation 16,936 cubic yards, at 13 cents	2,201 68
Embankment. 40,450 cubic yards, at 22 cents,	8,899
Wall, 2,621 cubic yards, at 50 cents,	1,310 50
26 chains road, 25 dols.	650
Rock, 928 cubic yards, at 75 cents,	736 50
	<hr/>
	\$13,797 68

**MILE 83.** Commences with deep cutting along the margin of the river, on a flat one chain wide, generally good excavation for 48 chains, then runs along under a rocky hill; an embankment must be made in the river, 24 chains outside of the road, the turnpike passes along this mile, and in some places will require raising; surface of river 6 feet below; the last 8 chains good excavation.

Excavation, 20,438 cubic yards, at 12 cents,	2,452 56
Embankment, 24,504 road and canal, 20 cents,	4,900 80
Wall, 2,160 cubic yards, at 60 cents,	1,296
	<hr/>
	\$8,649 36

**MILE 84.** Begins with lock No. 27, passes over sideling ground, and for a short distance along the edge of a water course, forming an island in moderately high water; the last 14 chains will be embankment in the bed of the river, 8.27 below, under a high bluff of rock; the road will require raising.

Excavation, 21,912 cubic yards at 12 cents,	2,629 44
Embankment, 18,794 cub. yds. canal and road, at 18,	3,415 32
Wall, 1,686 cubic yards, at 62 cents,	1,045 32
	<hr/>
	\$7,090 08

**MILE 85.** Continues with embankment under the last mentioned bluff, 20 chains along which the road must be raised; 4 chains from the bluff to lock No. 28; from the lock to the end of the mile, the line passes along a gentle declivity; soil gravelly loam, good excavation; one bridge will be necessary.

Excavation, 19,921 cubic yards, at 12 cents,	2,390 52
Embankment, 24,123 cubic yards at 18 cents,	4,342 14
Wall, 2,376 cubic yards, at 62 cents,	1,473 12
	<hr/>
	88,005 78

MILE 86. The first 16 chains pass over gravelly loam, 10 chains of which is through woods; then an embankment becomes necessary about 43 chains under a steep bank, loose rock and slate 9 feet below; the next 15 chains will be deep cutting along the foot of a steep ascent, to lock No. 29; the line then crosses the point of a ridge.

Excavation, 16,757 cubic yards, at 12 cents,	2,010 84
Embankment, 31,170 cubic yards, at 18 cents,	9,210 60
Wall, 5,208 cubic yards, at 60 cents,	3,121 80
Grubbing,	100
	<hr/>
	814,443 24

MILE 87. Passes over sideling ground, consisting of gravelly loam, round stone, and large rock, along a branch of the river, forming an island; the line crosses a small brook requiring a culvert, and crosses Mill creek near the west end of the mile, 11.23 below; an aqueduct 60 feet in length will be required; an embankment 4 chains long, 9 feet below, to cross half the valley; the stream branches above the point of crossing, and forms an island, the water of both branches can be turned into one. This mile ends in the valley of the creek. Lock No. 30, is located on this mile.

Excavation, 23,894 cubic yards, at 14 cents,	3,345 16
Embankment, 9,520 cubic yards, at 16 cents,	1,523 20
Aqueduct and culvert,	1,765
	<hr/>
	86,033 36

MILE 88. Begins in the valley of Mill creek, crosses the second branch; the line then crosses the point of a ridge to another small creek eleven feet below, requiring an embankment to cross the ravine ten chains long on the top and six chains on the bottom, eight feet below; then rises to extra cutting about fifteen chains, and descends to another brook and ravine requiring four chains of embankment, after which the line runs along the bank of the river in cutting; easy to excavate. One bridge will be necessary on this mile.

Excavation, 25,642 cubic yards, at 11 cents,	2,820 62
Embankment, 21,695 do 14	3,037 50
Two large culverts,	1,645 00
	<hr/>
	7,502 92

MILE 89. Passes along the side of a gravelly ridge for half the distance; the remainder passes over bottom land of clay and sand.

loam. One small brook will fall into the canal; a few chains lies through swampy ground, having a ridge between the canal and the river.

Excavation,	26,880 cubic yards, at 12½ cents,	3,360
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MILE 90. Is uneven and cuts the points of two ridges, making some extra cutting—soil clay and gravelly loam; one farm bridge will be required.

Excavation,	27,636 cubic yards, at 12½ cents,	3,454 50
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MILE 91. Passes over flat or bottom land, parallel with and near the turnpike road. Soil clay and gravel, with some stone; good excavation. Lock No. 31, about the middle of the mile, crosses a brook 7.24 below; 25 links wide, and will require a large culvert; some embankment will be necessary; extra cutting after crossing the brook to the end of the mile; some grubbing.

Excavation,	25,242 cubic yards at 12½ cents,	3,155 25
Embankment,	3,461 do. 14	484 54
Grubbing,		125

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3,764 79

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MILE 92. Passes on a narrow flat in the turnpike road at the foot of a high hill of grawacke rock, about 40 chains to lock No. 32, then an embankment becomes necessary in the bed of the river 16 chains; the turnpike must be raised; the line then passes along a steep side hill, and crosses the turnpike, on the bank of Standing Stone creek. The water in this creek is eleven feet below, and will require an aqueduct 130 feet in length, three chains of embankment will be necessary after passing the creek 4½ feet below to the end of the mile; a culvert for a small run will be required.

Excavation	16,980 cubic yards, at 12 cents,	2,037 60
Embankment,	35,060 do. 18	6,310 80
Wall,	1,952	1,171 20
Aqueduct, \$2,360 culvert \$450,		2,810

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12,519 60

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MILE 93. Begins with an embankment across the valley of Standing stone creek 13 chains in length, from 2.50 to 4.50 below. Lock No. 33 and 34, with a short pond between, are located at the commencement of the high land in the town of Huntingdon. After locking, the ground rises suddenly to 11 feet above the level, passes through a street, leaving sufficient room on the north side of the canal for a road, and taking part of the width of the canal from the south tier of lots, which will occasion the removing of the out-buildings, stables, &c. the ground soon descends to a proper level, after passing the town and crossing a ravine 17.50 below, 6 chains wide on the top and two on the bottom; the line continues on the side of a steep ridge to the end of the mile. Three bridges, will be



culvert for the last ravine; the extra excavation will furnish stuff to form the embankments.

Excavation,	31,760 cubic yards, at 12½ cents,	3,970 00
Embankment,	29,276 do. 17	4,976 92
Culvert,		886

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\$ 9,832 92

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MILE 94. Passes along the side of a steep ridge, consisting of gravel, loam and cobble stone for the first 56 chains; the remainder is over a very rough and uneven surface near the bank of the river along the foot of a rocky hill; the last 16 chains will occupy the road; a new one must be made above the canal; 10 chains is through woods.

Excavation,	27,526 cubic yards, at 13 cents,	3,578 38
Sixteen chains of road,		320 00
Grubbing,		100 00

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\$ 3,998 38

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MILE 95. The first 48 chains is very rough and undulating, passing for the most part over loose rock at the foot of a high rocky hill, excavation is difficult, some solid rock must be excavated, some embankment will be required, the remainder is on a flat one chain wide, tolerably easy to excavate—soil, sandy loam and gravel—lock No. 35, near the end of the mile—a new road must be made the whole length of the mile.

Excavation,	23,040 cubic yards, at 13½ cents,	3,110 40
Embankment,	4,885 do. 16	781 60
Rock,	960 do. 1 00	960
Road,		950
Grubbing,		235

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\$ 6,037 00

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MILE 96. Passes over ground similar to the last mile—considerable rock cutting and embankment will be necessary; and a new road—some grubbing.

Excavation,	21,760 cubic yards, at 13½ cents,	2,937 60
Embankment,	12,341 do. 16	1,974 56
Rock,	1,623 do. 1 00	1,623
Road,		1,375
Grubbing,		300

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\$ 8,210 16

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MILE 97. The first 28 chains is a continuation of the ground last described, to lock No. 36—the line then runs on a gentle slope of good excavation—crosses the outlet of a large spring that will fall into the canal—twelve chains lies through timbered land.

Excavation,	29,347 cubic yards, at 12½ cents,	3,668 37
Rock,	640 do. 1 00	640
Road,		458
Grubbing,		225

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\$ 4,991 37

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**MILE 98.** Passes over gravelly loam, interspersed with round stones—generally good excavation—considerable light grubbing—two locks are located on this mile, No. 37 and 38—a culvert will be required to discharge the water from a large spring—near the end of the mile a farm bridge will be required.

Excavation,	26,369 cubic yards, at 12½ cents,	3,164 28
Culvert		887
Grubbing,		300

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\$4,351 28

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**MILE 99.** Is very good for a canal the first 56 chains, the next 16 chains passes along the foot of a high perpendicular rock and will require embankment and wall in the bed of the river 7.50 below outside of the road, which must be raised. The river at this point must be widened and the earth taken for embankment, the remaining 8 chains passes Shoeneberger's forge, good excavation; a bridge will be required and a small culvert for a spring.

Excavation,	21,248 cubic yards, at 12½ cents,	2,549 76
Embankment,	21,760 do. canal and road at 20 cts,	4,352
Culvert,		275

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\$ 7,176 76

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**MILE 100.** Passes through a garden in the rear of Shoeneberger's house; lock No. 39 located near the garden, considerable embankment will be necessary to pass the valley of Shaver's creek 6.32 below, and require an aqueduct 180 feet in length, after passing the creek some extra excavation will be incurred, which can be used in the embankment; lock No. 40 is located at the end of the extra cutting; the excavation is good to near the end of the mile, and to the valley of the Little Juniata; two bridges will be necessary.

Excavation	32,256 cubic yards, at 12½ cents,	4,032
Embankment,	19,880 do. 17	3,379 60
Aqueduct, for Shaver's creek,		2,564

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\$9,975 60

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**MILE 101.** Commences with an embankment across the valley of Little Juniata, 15 chains to the river and lock No. 41; the ground is 2.45 above for 4 or 5 chains, before arriving at the river; a culvert will be required for the race of a grist mill, at the beginning of the mile—the bed of the Little Juniata is 14 feet below, 2 chains wide.

and must be passed with an aqueduct; this stream can be taken into the canal as a feeder at a small expense; considerable embankment will be necessary after crossing the stream for 15 chains; and a culvert will be wanted for the race of a fulling mill; the line then passes over good ground about 34 chains; then a rocky bluff puts in, requiring heavy embankment and wall in the bed of the river, to the end of the mile.

Excavation, 10,754 cubic yards, at 12 cents,	1,290 48
Embankment, 63,652 do. 20 do.	12,730 40
Wall, 2,443 do. 75 do.	1,682 25
Aqueduct and 2 culverts,	2,883 00
	<hr/>
	\$18,586 13

MILE 102. The first part is a continuation of the embankment in the bed of the river, 17 feet below, which continues 16 chains; the earth for embanking this and the last mile, must be taken from the opposite side of the river, so as to enlarge the channel; the line then passes along steep sideling ground; soil gravelly; loam and stoney about 32 chains; the remainder is over bottom land; good excavation; soil loam, 22 chains through woods.

Excavation, 21,684 cubic yards, at 12½ cents,	2,710 50
Embankment, 32,326 do. 20 do.	3,465 20
Wall, 2,243 do. 75 do.	1,682 25
Grubbing,	225 00
	<hr/>
	\$8,082 95

MILE 103. Ten chains from the commencement of this mile is located, lock 42; the line then crosses the point of a ridge, with extra excavation, and then continues along the foot of a gentle declivity on a wide flat of clay and gravelly loam, good excavation, the line crosses the turnpike and ends in deep cutting on the margin of the river; three bridges will be necessary.

Excavation, 30,640 cubic yards, at 13 cents,	\$3,983 20
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MILE 104. Passes for the first part along the foot of a high rocky bank requiring embankment in the river—the line then passes along a narrow flat of good excavation, to lock, No. 43 and continues a short distance along the side of a gravelly ridge through woods; the line then passes along in the bed of the river at the foot of a steep hill of limestone and slate; requiring 16 chains of heavy embankment and wall; the remainder passes on a narrow flat, and ends about the centre of the town of Alexandria; some embankment will be necessary along the town.

Excavation, 15,712 cubic yards, at 12 cents,	1,885 44
Embankment, 44,260 do. 18 do.	7,966 80
Wall, 3236 do. 75 do,	2,427 00
Grubbing,	250 00
	<hr/>
	12,529 24

**MILE 105.** Begins at the town of Alexandria, and passes over flat land; soil, gravelly loam, and some stone; the line crosses the turnpike, near the end of the mile. Lock, 44, on this mile; 8 chains through woods; two farm bridges.

Excavation, 27,363 cubic yards, at 13 cents,	3,420 37
Grubbing,	80 00
	<hr/>
	3,500 37
	<hr/>

**MILE 106.** Commences at lock, No. 45 and passes over good ground for a canal, for the first 18 chains; the line then strikes the turnpike and runs along the foot of a high hill, and along the turnpike for the remainder of the mile, which must be continued on the bank of the canal next the river and re-cross at the end of the mile; the west part of the mile will be difficult to excavate; 22 chains through woods; two bridges.

Excavation, 31,936 cubic yards, at 13 cents,	4,151 68
Grubbing,	250 00
Turnpike road,	1,450 00
	<hr/>
	5,851 68
	<hr/>

**MILE 107.** The first 24 chains is tolerably good excavation, and passes Sping Mill, for which a culvert will be required for outlet race; some embankment will be required at the mill; the remainder passes along the side of a high rocky hill where coarse material may be had to form that bank in part, which must be lined with good water tight earth procured elsewhere; the outside of the bank will run in the bed of the river; woods throughout the whole distance. Lock No. 46 on this mile.

Excavation, 26,656 cubic yards, at 13 cents,	3,465 28
Embankment, 8,580 do. 20 do.	1,716
Culvert,	560
Grubbing,	730
	<hr/>
	6,491 28
	<hr/>

**MILE 108.** A part of this mile passes over very good ground; another part is very rocky, and will require considerable embankment, and lies altogether through woods. Lock. No. 47 on this mile; the whole length is along the foot of a high rocky hill.

Excavation, 24,960 cubic yards, at 12½ cents,	3,120 00
Embankment, 9,776 do. 20 do.	1,955 20
Grubbing,	850 00
	<hr/>
	\$5,925 20
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**MILE 109.** Runs through a very narrow pass for the river between the mountains, where an embankment must be made for a short distance in the bed of the river, and the earth taken from a narrow flat, opposite; the ground continues rocky for a short distance to lock, No. 48; the line then passes along a very gentle slope of good excavation; ground covered with laurel bushes; the line passes another limestone point, part of which must be excavated, the last 24 chains is through cultivated fields, gravelly loam.

Excavation,	24,815 cubic yards, at 12½ cents,	\$3, 01 87
Embankment	13,782 do 20	2,756 40
Rock,	864 do 75	634 50
Wall,	612 do 50	304 00
Grubbing,		230 00
		<hr/> 7,026 77 <hr/>

**MILE 110.** The first 40 chains are a little uneven, and has some difficult excavation to lock No. 49; the remainder passes over sandy loam, and gravel, easy to excavate; one small brook will fall into the canal; one road and one farm bridge requisite.

Excavation,	27,460 cubic yards, at 13 cents,	\$3,569 80
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**MILE 111.** Passes along the foot of a ridge of gravelly soil, and through woods for the first 24 chains, to lock No. 50; the line then runs over sideling ground. good excavation for the next 48 chains, to lock No. 51; the last 8 chains pass a rough point of limestone rock, requiring embankment and wall, the bed of the river is 9 feet below.

Excavation,	23,934 cubic yards, at 12½ cts.	\$2,991 75
Embankment,	9,392 do 18	1,690 56
Wall,	960 do 60	576
Grubbing,		250

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\$ 5,508 91

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**MILE 112.** Passes over bottom land along the foot of a steep hill, 24 chains, to lock No. 52, at the beginning of a rocky bluff, which continues 38 chains, requiring embankment in the bed of the river, six feet below; the line then passes near Spong's forge; the remainder is bottom land to the end of the mile. The stream on which stands Spong's furnace and saw mill will fall into the canal; a culvert must be made for the outlet race from the forge; the waste water from the forge dam will fall into the canal.

Excavation,	16,086 cubic yards, at 12 cents,	\$1,930 32
Embankment,	31,198 do 19	5,927 62
Wall,	3,960 do 70	2,772
Culvert,		450

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\$11,079 94

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**MILE 113.** Passes over gravel and sandy loam, 13 chains, to lock No. 53; the line then crosses the head race of the forge, which is 1.44 below, 50 links wide; after which it runs on a flat two chains wide—good excavation; 19 chains to lock No. 54, at the beginning of a short point of limestone, that will require an embankment in the bed of the river, and wall about 8 chains; the remainder of the mile is good excavation.

Excavation,	24,567 cubic yards, at 13 cents,	3,193 71
Embankment,	5,688 do.	1,023 84
Wall,	647 do.	401 14
		<hr/>
		\$4,618 69

**MILE 114.** Is good for a canal the first 32 chains, to lock No. 55; the line then passes along the foot of a high rocky hill, in the bed of the river, 9 feet below, 36 chains; some projecting points of rock will require cutting off; the earth for embankment must be taken from the opposite side of the river; the remainder of this mile is good excavation.

Excavation,	14,608 cubic yards, at 12 cents,	1,752 96
Embankment,	42,840 do. 19	8,139 60
Wall,	3,274 do. 60	1,964 40
Rock,	934 70 do.	653 80
		<hr/>
		\$12,510 76

**MILE 115.** Passes over good ground about 32 chains; some extra cutting on the bank of the river near lock No. 56; then passes over sideling ground, good excavation; 32 chains to lock No. 57; the remainder of the mile will be embankment in the bed of the river, along a very rough rocky bluff; two bridges.

Excavation,	24,512 cubic yards, at 12 cents,	2,941 44
Embankment,	22,864 do. 18	4,115 52
Wall,	1,920 do. 62	1,190 40
		<hr/>
		\$ 8,247 36

**MILE 116.** Is nearly all embankment at the foot of a high hill of limestone, and passes Smoker's forge dam, the surface of which is about level with the bottom of the canal; lock No. 58 on a small piece of bottom; the line soon runs into embankment, and continues until within a short distance of the end of the mile, then a few chains of good excavation; there will be some difficulty in obtaining earth for embankment along the line; stone can be easily obtained.

Excavation,	7,968 cubic yards, at 12½	996
Embankment,	43,682 do. 21	9,173 22
Wall,	5,645 do. 60	3,387
Grubbing,		100
		<hr/>
		\$13,656 22

**MILE 117.** Passes over sandy loam soil, easy to excavate for the first 24 chains, to lock No. 59; then commences a high rocky hill, requiring an embankment along in the bed of the river, average 6.64 feet below, 48 chains; then a narrow flat of stony excavation to the end of the mile; some points of rock must be excavated.

Excavation,	11,848 cubic yards,	at 13 cents,	1,540 24
Embankment,	50,880	do. 20 do.	10,176
Wall,	5,360	do. 60 do.	3,336
Grubbing and rock excavation,			475
			<hr/>
			\$15,527 24

**MILE 118.** Begins at lock No. 60; the first twelve chains will be embankment, and wall along a limestone ledge in the river; the line then passes over gravelly loam for the remainder of the mile; 18 chains through woods.

Excavation,	22,576 cubic yards,	at 12½ cents,	2,822
Embankment,	12,843	do. 17 do.	2,183 31
Wall,	1,440	do. 60 do.	864
Grubbing,			120
			<hr/>
			\$5,989 31

**MILE 119.** Commences at lock No. 61, and passes over very good ground about 16 chains; then crosses the road to Williamsburg, at the bridge, and passes along a rocky bank in the river, 6.29 below; the embankment must be walled 16 chains; the line then passes over bottom land 21 chains, to lock No. 62, the remainder of the mile passes along a high rocky hill in the river, 10.87 below.

Excavation,	12,284 cubic yards,	at 10 cents,	1,228 40
Embankment,	54,761	do. 18	9,856 98
Wall,	4,312	do. 62	2,673 44
			<hr/>
			\$13,758 82

**MILE 120.** The first twenty chains is a continuation of the rocky bluff and embankment. The next fifty two chains passes over good land, generally gravelly loam, to lock No. 63. The remaining eight chains will be embankment, eight feet below, along a high bank of limestone. A road bridge will be necessary; also some rock cutting.

Excavation,	17,264 cubic yards,	at 12½ cents,	2,158
Embankment,	35,792	do. 18	6,474 96
Wall,	3,360	do. 62	2,083 20
Rock,	386	do. 70	270 20
			<hr/>
			\$10,886 36

**MILE 121.** The first eight chains will be embankment; the next thirty-two chains is good excavation, with some extra cutting along the bank of the river, to lock No. 64; the residue of the mile passes through woods; is considerably undulating, and difficult to excavate, being very stony.

Excavation	27,576 cubic yards, at 18 cents,	\$3,584 88
Embankment	11,892 do. 18	2,050 56
Wall,	985 do. 62	610 70
		<hr/> \$6,246 14 <hr/>

**MILE 122.** Passes twelve chains, over a narrow flat of gravel and stone; then ten chains of embankment in the bed of the river, seven feet below, under a high slate hill; a road, running along the foot, must be raised. The next fifty-two chains passes over a narrow flat, gravelly soil; includes lock No. 65; then embankment to the end of the mile, 9 feet below.

Excavation,	21,869 cubic yards at 12½ cents,	2,733 62
Embankment,	17,740 do. 18	3,193 20
Wall,	1,536 do. 70	1,075 20
		<hr/> 7,002 02 <hr/>

**MILE 123.** Is a continuation of the embankment, for the first sixteen chains, in the bed of the river. The road will require raising; the ground is then tolerably good, for thirty-two chains, across a flat; some extra cutting; the line then passes a bluff, and will require the road to be moved; and an embankment, about eight chains, in the bed of the river; some rock must be excavated. From the bluff; the ground, to the end of the mile, is good.

Excavation,	12,572 cubic yards, at 12 cents,	2,228 64
Embankment,	29,535 do. 18	5,316 30
Wall,	2,160 70	1,512
Road,	8 chains	150 00
Rock,	587 yards, at 75	440 25
		<hr/> \$ 9,647 19 <hr/>

**MILE 124.** Passes over bottom land, twenty-four chains, to lock No. 66; seven chains more of good excavation; then falls off suddenly to the bed of the river, at a very short bend; and continues a short distance in the bed of the river; then crosses a low flat, covered with heavy timber, 3.68 too low; then runs in the river again, along the foot of a slate rock bank, and crosses the tail-race of a saw-mill, and also Canoe creek valley, the stream is six feet below; the last 49 chains will be embankment.



Excavation,	11,873 cubic yards, at 12 cents,	1,424 76
Embankment,	40,29 do. 17	6,938 93
Wall,	2,433 do. 75	1,824 75
Grubbing,		400
Aqueduct and culvert,		1,586
		<hr/> 12,074 44

**MILE 125.** Will require embankment in the river at two places, and a wall; a short piece of bottom land between—a little too low. The latter part of the mile passes through a swamp—considerable grubbing will be necessary on this mile.

Excavation,	15,320 cubic yards, at 10 cents,	1,152
Embankment,	51,634 do. 18	5,694 12
Wall,	1,836 75	1,377
Grubbing,		60
		<hr/> \$ 8,853 12

**MILE 126.** The first part is a continuation of the swamp to near lock No. 67; after which, the ground, for some distance, is gravel and clay; then descends again to another swamp, covered with timber, and a little too low; and crosses the points of two elevations, formed by the washings from the hill—excavation generally good.

Excavation,	22,343 cubic yards, at 12 cents,	2,681 16
Embankment,	8,200 do. 16	512
Grubbing,		725
		<hr/> \$ 3,918 16

**MILE 127.** Passes over gravelly and sandy loam, 16 chains through woods to lock No. 68; about the middle of this mile, 6 chains of embankment will be necessary at the west end, across a low flat; one bridge will be necessary.

Excavation,	24,568 cubic yards at 12 cts.	2,948 16
Embankment,	3,720 do. 16	595 20
Grubbing,		175
		<hr/> 3,718 36

**MILE 128.** Has a little embankment at the beginning, after which it passes along the foot of a gentle slope on an extensive flat, 32 chains lies through woods Lock No. 69, near the end. One bridge will be required—soil gravelly, loam, and clay.

Excavation	23,212 cubic yards, at 1 ½ cents,	2,669 38
Embankment,	4,715 do. 16	754 40
Grubbing,		320
		<hr/> \$ 3,743 78

**MILE 129.** Passes over ground similar to the last mile, and crosses the points of two elevations, requiring some extra cutting, which cannot be avoided, except by a very circuitous route—two farm bridges will be necessary.

Excavation, 26,653 cubic yards, at 11½ cents,	3,065 09
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**MILE 130.** Commences at lock No. 70, and runs 4 chains over gravelly soil to the bank of the river, then an embankment becomes necessary in the bed of the river 7 feet below, along the foot of a perpendicular bank of slate-rock about 20 chains, then runs eight chains across a narrow flat, about level with the bottom of the canal, then another short point, requiring embankment, after which the ground is very favorable.

Excavation,	15,738 cubic yards at 12 cts.	1,888 56
Embankment,	28,643 do. 17	4,869 31
Wall	2,236 do. 75	1,677
Grubbing,		215

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88,649 87

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**MILE 131.** Begins by embanking past a rocky point and passes along in the bed of the river, 3 feet below, 20 chains which passes the village of Frankstown and crosses a little run that is two feet below, then passes over clayey loam soil, 12 chains to lock No. 71, then passes along parallel with the turnpike, for a short distance, then at the foot of a steep hill and swampy ground a little too low, which will require some embankment; two bridges will be necessary, and considerable grubbing.

Excavation,	17,264 cubic yards, at 12 cents,	2,071 68
Embankment,	10,586 do. at 16 do.	2,653 76
Wall,	1,622 cubic yards, at 62 cents,	1,005 64
Grubbing		220 00

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85,951 08

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**MILE 132.** The first 24 chains is good for a canal to lock No. 72. The line then crosses the Beaver Dam branch of the Juniata, the bed of which is 6.21 below, and must be passed with an aqueduct, some embankment will be required at the river, the remainder is good ground soil, clay loam; this mile ends in the basin proposed for the western termination of the Juniata section—Three bridges will be required.

Excavation,	21,182 cubic yards at 12 cts.	2,541 84
Embankment,	12,220 do. 16	1,955 20
Excavation of basin,	16,778 cubic yards at 12 cts.	2,113 36
Aqueduct,		2,525 00

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9,135 40

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Feeder 51 chains from Beaver Dam branch, including dam, guard gates, &c. 1,548 00

Total amount of excavation, embankment, wall, &c.	928,341 05
74 Locks, wood and rough stone, at 1500 dolls. each,	105,000
88 miles of fence, at 480 dolls. per mile,	42,240
80 Bridges, at 250 dollars each,	20,000
Feeders,	51,548

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1,147,129 05

Add for contingencies ten per cent.

114,712 0

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1,261,841 95

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If stone locks should be adopted, the total amount for constructing 132 miles of canal, with 594 feet of lockage, will amount to \$1,800,507 dollars and 57 cents.

All which is respectfully submitted,

CANVASS WHITE, Engineer.

January 30th, 1827.

### No. 7.—*Juniata Route.*

## Report on the Juniata Route by George T. Olmstead, Esq.

*To the Pennsylvania Canal Commissioners.*

GENTLEMEN—

The exploration of a canal and railway, to form a communication between the Susquehanna and Allegheny rivers, was continued from the head of the Juniata canal. Not having sufficient time, no regard was paid to a particular location of the railway; the general route only could be attended to, and reserve sufficient time to locate the canal line down the Conemangh and Kiskeminetas.

Agreeably to the directions of William Strickland, Esq. I continued the exploration for the railway to the confluence of Stony creek, at Johnstown, where the basin, for the termination of the western division of the canal, was located. The distance, elevation and depression over the mountain, are as follows:

From the Juniata basin, to the mouth of Poplar run, 3 miles. Elevation, 33.69 feet.

To Dobbins' farm, 11 miles 51 chains. Elevation, 1,311.88

To the summit of the Allegheny mountain, at Bob's creek gap, 13 miles 72 chains. Elevation, 1,591.39

From Bob's creek gap, to the confluence of the south branch of Conemaugh, 14½ miles. Depression, 1,050.33 feet.

From south branch, to Johnstown, 13 miles. Depression, 597.67

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1,348.00

Making the whole distance 41 miles 38 chains, and the total ascent and descent, to be overcome by railway, 2939.39 feet. The banks of the Conemaugh river, from the junction of the south branch to Johnstown, are high and very precipitous, and bluffs of rocks alternately on either side. It also has a very rapid descent of more than twenty-three feet to the mile. By the plan now proposed, the portage will be thirteen miles longer than was originally contemplated; and with the accession of stony creek, there can be no doubt of a permanent supply of water. Perhaps, on further investigation, the portage may be made shorter. Considerable time must be spent on the ground to investigate the subject properly.

The examination down the Conemaugh and Kiskeminetas, has been confined exclusively to the north bank of the river, and is comparatively the best, particularly when taking into view the advantage of a southern exposure.

The line has been located with a strict adherence to a canal navigation, and no insurmountable obstacles have been found to prevent such location, notwithstanding improvements, by slack water navigation, would perhaps be advisable in some places. It has been suggested, that an improvement of the river, passing through the Laurel hill and Chesnut ridge, would be the cheapest or best mode to pursue. There would be no serious objection to a slack-water navigation past Laurel hill; the river has a descent of about thirty-two feet in five miles, and could be overcome with two dams; while the Chesnut ridge has a descent of sixty-four feet in the same distance, and would be more expensive than a canal.

The stone necessary for the construction of locks, can be found principally in the vicinity of the canal. In some places, however, there will be a difficulty in obtaining stone of good quality. The stone required for aqueducts, culverts bridges, &c. can be obtained at almost any point along the river.

MILE 1. Commences with the basin at Johnstown, beginning at a bench on a hickory tree near Levermore's mill dam. The first

170 feet in length, and 10 feet in height, connected with a guard lock on the north side; the whole on a rock foundation. The dam will raise the water to the present level of Levergood's pond. The basin will include about six acres. The next five chains will require embanking along the north side of the river, to the head of an old forge race. The canal will there follow the race eleven chains, which will only require a little clearing out, being of sufficient size. The remainder of the mile passes along the foot of a hill, across bottom land, some distance from the river, and ends in woods. The last four chains will require grubbing.

A feeder of one mile and a quarter, extending from the basin to a point up Stony creek, can be brought in by raising a dam two feet. The first twenty-four chains from the basin, will run across the bottom land above Johnstown, at an average cutting of 9 feet. It then meets the creek, and continues along under the bank, which is too high to admit of cutting the whole width of the feeder. On the flat the soil is sandy loam.—Expense for

Excavation, 30,160 cubic yards in basin, at 13 cts.	\$,920 80
do. 22,100 do. canal, 8	1,408
do. 27,840 do. feeder, 12	3,340 80
Embankment, 5,440 do. 15	816
Wall, 420 do. 60	252
Dam and guard lock,	2,840
Grubbing,	150
	<hr/>
	\$ 13,127 60

MILE 2. Begins in woods, and runs eight chains to lock No. 1, at the side of the road. The bridge must be made above the lock, and the road altered. The line then occupies the road 8 chains to Hansin's run, for which a culvert will be required, and some embankment, on each side of the run. The canal will then pass along under a steep gravel bank twenty-four chains, to lock No. 2, in the road. For the last twenty-four chains the road runs on the top of the bank, fourteen feet above. The bank can be cut off to form the tow-path, which will require walling. The next twenty-four chains runs in the road, along the foot of a steep hill, in woods. A new road will be required above the canal. The remaining sixteen chains is through cleared fields, on bottom land.

Excavation, 43,910 cubic yards, at 8 cents,	3,512 80
Embankment, 9,360 do. 15	1,404
Wall, 1,434 do. 65	932 10
Grubbing,	465
Large culvert,	750
Making road,	240
	<hr/>
	\$ 7,303 90

**MILE 3.** The first 16 chains pass over bottom land, good excavation to the bank of the river; it then continues along the foot of the bank 24 chains to Zeheh's farm house—the soil is sandy loam, 18 feet above; a wall will be necessary to protect the banks on the outside. The line then continues on the flat, regular depth of excavation to the end of the mile. From the farm house to the end of the mile, the road should be made along the upper side of the canal, and save the expense of two bridges; two culverts will be required.

Excavation, 38,406 cubic yards at 8 cents,	3,072 48
Wall, 1,920 cubic yards at 75 cents,	1,440
Grubbing,	100
Two culverts,	625

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**\$5,237 48**

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**MILE 4.** Commences on a flat near the river, and runs in rear of Brollier's house, 10 chains, to lock No. 3, the line then passes along the point of a sand stone rock, requiring embankment in the river for eleven chains, nine feet below; then runs on a flat, in woods, to Laurel run, which will require an aqueduct. A bridge will be necessary for the Laurel hill road; the line continues on the flat 19 chains to the beginning of Laurel hill; it then passes along the foot of the hill, over a very rough, rocky piece of ground, 24 chains. Some large detached masses of rock must be blasted. The greater part of the last 24 chains will be embankment, and the earth taken from the flat opposite. The remaining part of the mile runs on a narrow flat in woods, on stony and undulating surface.

Excavation, 18,724 cubic yards at 9 cents,	1,685 16
Embankment, 24,580 cubic yards at 18 cents,	4,424 40
Rock, 856 cubic yards, at 75 cents,	642
Wall, 2,108 cubic yards at 60 cents,	1,264 80
Grubbing,	575

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**\$8,531 56**

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**MILE 5.** The first 8 chains of this mile passes along the foot of a high bank near the river, to lock No. 4, in the woods, gravelly soil; the next 19 chains runs on a flat of tolerably good excavation, and an undulating surface, to where the hill puts up to the river; the line then continues for the remainder of a mile, under a high hill, alternately perpendicular rock, and high banks of earth; the most of the earth for embanking must be taken from the opposite bank of the river; a slope wall will be required, lock No. 5 on this mile.

Excavation, 35,400 cubic yards, at 9 cents,	3,186
Embankment, 8,810 cubic yards, at 18 cents,	1,585 80
Slope wall, 4060 cubic yards at 62 cents,	2,517 20
Grubbing,	300

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**\$7,589 00**

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**MILE 6.** Begins at the side of a high bank, and the first twenty-four chains will run partly in the bed of the river; the bank will require walling; earth can be taken from the bank along the line, calculated as excavation. The line there rises on to a narrow flat, and continues 48 chains through woods and good excavation; a rocky bluff then begins; lock No. 6. at the beginning of the bluff; the remaining 8 chains is under a high cliff of sand stone and slate rock.

Excavation, 29,270 cubic yards at 9 cents,	8,534 30
Embankment, 17,344 cubic yards at 19 cents,	3,295 86
Wall, 3,112 cubic yards at 50 cents,	1,556
Grubbing,	528
	<hr/>
	8,913 66

**MILE 7.** The first 4 chains is a continuation of the rocky bluff; a high flat then begins and continues 16 chains, good excavation, and another bluff begins; occasional points of perpendicular rock throughout the remainder of the mile; the principal part of the earth for embanking along the last bluff, must be procured on the opposite side of the river; stone for the wall conveniently situated along the bank; lock No. 7. near the end of this mile; surface of water in river, 4.37 below after locking.

Excavation, 7,196 cubic yards at 10 cents,	719 60
Embankment, 59,410 cubic yards at 20 cents,	11,882
Wall, 6,094 cubic yards at 50 cents,	3,047
	<hr/>
	15,648 60

**MILE 8.** The whole of this mile passes along under a high hill, some earth may be had along the side hill in places, to form the outside of the bank; there is a high bank of earth opposite will answer for lining. The last 20 chains the bank must be made in water about 12 or 15 feet deep, 12 chains of which passes under the cedar rock; (so called) it is a high cliff of rock projecting into the water; the river at this point 3 chains wide, a narrow flat opposite.

Embankment, 81,940 cubic yards at 20 cents,	16,388
Wall, 8,231 cubic yards at 50 cents,	4,115 50
Rock, 3,366 cubic yards at 50 cents,	1683
	<hr/>
	22,186 50

**MILE 9.** The first 12 chains continue under the hill last mentioned to the entrance of Findlay's run, about the end of Laurel hill; at this point a dam of 9 feet in height, constructed across the river, at the head of an island, would create a slack-water navigation as far back as lock No. 7. near the end of the seventh mile, thereby avoiding a very heavy embankment and wall. The towing path can be made along the side hill.

Findlay's run must run into the canal; the line continues in the bed of the river along a high bank of rocks 16 chains; then rises into a flat and continues 2 chains to lock No. 8. Some detached rock on the surface must be blasted; then good excavation to the end; 52 chains lies through woods.

Excavation,	20,642 cubic yards, at 9 cents,	\$1,857 78
Embankment,	22,453 do. 20	4,490 60
Rock,	1,260 do. 50	630 00
Wall,	2,429 do. 50	1,214 50
Grubbing,		850 00
		<hr/> \$ 9,442 88 <hr/>

MILE 10. Is good for a canal until it strikes a steep stony ridge, and runs a short distance along the side of the ridge near the margin of the river, then rises out to a flat of good excavation; 64 chains to lock No. 9; crosses two small brooks, one will require a culvert; fifty chains is through woods.

Excavation,	30,940 cubic yards, at 9 cents,	\$2,784 60
Grubbing,		585
Culvert,		545
		<hr/> \$ 3,714 60 <hr/>

MILE 11. The first sixteen chains passes along on a flat of good excavation to a brook five feet below, it then runs across the head race to Rogers' mill, which is 6.74 below, it can be passed with a large culvert, as also the tail race to the grist mill; the line runs between the saw and grist mill; it would perhaps be better to move the grist mill below the canal. A rocky bluff begins at the mill and continues to the end of the mile, requiring embankment in the bed of the river, a fine flat on the opposite side will afford stuff for the embankment; bed of the river at the mill 13.34 below; the road along this bluff will require raising. Lock No. 10 on this mile.

Excavation	6,889 cubic yards at 10 cents	686 90
Embankment,	47,457 do. 20	9,491 40
Wall,	5,260 do. 50	2,630
		<hr/> \$12,808 30 <hr/>

MILE 12. Begins on a narrow flat, side of the road and passes along the foot of a low ridge of gravelly loam on the margin of the river, and rises on to a wide flat of good excavation, and runs through a piece of swampy ground; some timber, soil is clay and gravel.

Excavation,	24,168 cubic yards, at 8 cents,	1,933 44
Embankment,	3,400 do. 16	544
Grubbing,		150
		<hr/> \$ 2,627 44 <hr/>



**MILE 13.** Passes over good ground for a canal, on a very gentle slope, then crosses a small brook, where some embankment will be required and a culvert, soil is gravelly loam, two farm bridges will be necessary.

Excavation,	24,340 cubic yards, at 12 cents,	1,947 20
Embankment,	4,256 do. 15	635 40
Culvert,		556
		<hr/>
		\$ 3,121 60

**MILE 14.** The whole of this mile is through woods, some deep cutting will be necessary along the margin of the river near the beginning; good excavation.

Excavation,	3,300 cubic yards, at 9 cents.	2,844
Grubbing,		940
		<hr/>

\$ 3,784

**MILE 15.** Begins in woods and runs on a gentle slope for a short distance, then passes through cultivated fields, over a gently undulating surface, consisting of sandy loam, the line crosses a ravine requiring some embankment, a culvert must be made to drain the low ground above the canal; two bridges will be required.

Excavation,	21,534 cubic yards, at 8 cents,	1,962 72
Embankment,	3,206 do. 15	480 90
Grubbing,		480
Culvert,		550
		<hr/>

\$ 3,473 62

**MILE 16.** Runs along the bank of the river over good ground 14 chains, then crosses the valley of a small run six feet below, which will require a culvert. Lock No. 14 is located after crossing the run; a rocky bluff begins near the lock; an embankment will be necessary thirty chains in length, 9.50 below, requiring a wall; a flat then begins, on the margin of which the line continues nearly to the end of the mile; some grubbing will be necessary.

Embankment,	49,370 cubic yards, at 20 cents,	9,874
Excavation,	14,620 do. 10	1,462
Wall,	3,646 do. 60	2,187 60
Grubbing,		215
Culvert,		684
		<hr/>

\$14,422 60

**MILE 17.** Is good ground for a canal the whole distance, mostly through woods; one bridge will be required.

Excavation,	26,649 cubic yards, at 8 cents,	2,131 92
Grubbing,		480
		<hr/>

\$ 2,611 92

**MILE 18.** Passes over good ground for twenty chains to lock No. 15, a short piece of embankment above the lock, then good excavation until a low bluff puts into the river, which must be embanked, then runs through woods on sideling ground, and stony excavation to the end.

Excavation,	16,920 cubic yards, at 8 cents,	1,359 60
Embankment,	23,865 do. 17	4,057 05
Wall,	1,576 do. 60	945 60
Grubbing,		400

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**\$ 6,756 25**

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**MILE 19.** Crosses a ravine at the commencement, requiring some embankment, brook 8.86 below, and will require a culvert. The line then continues on gentle sideling ground, soil, gravelly loam, mostly through woods to lock No. 16, near the end of the mile.

Excavation,	25,540 cubic yards, at 8 cents,	2,045 20
Embankment,	4,098 cubic yards, at 14 cents	573 02
Grubbing,		400 00
Culvert,		320

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**3,336 22**

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**MILE 20.** The first 40 chains passes over very good ground to lock No. 17, at the beginning of a high rocky hill, requiring embankment and wall in the bed of the river, the remainder of the mile 7 feet below. Stone are convenient for the wall, lying along the foot of the hill in detached masses, and sandstone, substrata of slate and coal; some rock must be excavated; some grubbing will be necessary.

Excavation,	15,586 cubic yards at 9 cents,	1,204 74
Embankment,	46,419 do. 20	9,283 80
Wall,	4110 do. 50	2,055 00
Rock,	600 do. 60	360
Grubbing,		175

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**13,078 54**

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**MILE 21.** The first 46 chains is a continuation of the rocky point; the line passes over an undulating stony piece of ground to lock No. 18, and crosses Richards run which is 4.19 below, and can be taken into the canal, then passes along a sand stone ledge to the end of the mile; some rock must be excavated. The whole of this mile lies through woods.

Excavation,	21,620 cubic yards, at 9 cents,	1,946 34
Embankment,	15,800 do. 18	2,754
Rock,	540 do. 60	324
Wall,	1,420 do. 50	700
Grubbing,		6 dollars per chain. 480

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**6,214 34**

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**MILE 22.** The first 40 chains, continues along the foot of a perpendicular ledge of rock through thick laurel bushes, mostly embankment in the bed of the river, considerable difficulty will be found in obtaining good material for embankment. Crosses laurel run 13 feet below, and may be taken in or passed under the canal; the line then crosses the point of a ridge which projects into the river, and will require 4 chains deep cutting, principally sandstone to lock No. 19, then good excavation to the end of the mile; considerable grubbing.

Excavation,	13,935 cubic yards at 9 cents,	1,254 15
Embankment,	62,452 do. 20	12,490 40
Rock,	1,806 do. 75	1,354 50
Wall,	4,580 do. 50	2,290
Grubbing,	5 dolls. per chain,	480
		<hr/> 17,869 05 <hr/>

**MILE 23.** The first 11 chains passes over good ground in woods to the beginning of Chesnut ridge, and to lock, No. 20; the next 13 chains runs along the foot of a rocky hill, then passes over bottom land 24 chains to lock No. 21, the remainder of the mile passes along a rocky hill in the bed of the river, and will require heavy embankment and wall.

Excavation,	7,674 cubic yards, at 10 cents,	767 40
Embankment,	75,610 do. 20	15,102 00
Rock,	592 do. 50	296 00
Wall,	6,188 50	3,094 00
Grubbing,		400 00
		<hr/> 19,659 40 <hr/>

**MILE 24.** Passes for the first 32 chains along the foot of a rocky hill, requiring embankment, in the river and wall, lock No. 22. The remainder passes over stony ground for a short distance, then sandy soil to the end of the mile; considerable grubbing; some rock must be excavated.

Excavation,	16,807 cubic yards at 10 cents,	1,630 70
Embankment,	41,916 do. 20	8,383 20
Wall,	3,804 do. 50	1,902 00
Rock,	980 do. 60	588 00
Grubbing,	5 dolls. per chain,	400
		<hr/> \$12,903 90 <hr/>

**MILE 25.** Commences at lock No. 23, and passes over good ground for a canal about 32 chains; sandy soil to lock No. 24, some heavy oak timber, the remainder of the mile runs along a high hill with large loose rock at the base; embankment in bed of the river 8 feet below.

Excavation	10,679 cubic yards, at 10 cents,	1,067 90
Embankment,	50,813 do 19	9,658 27
Rock,	340 do 50	170
Wall,	4,856 do 50	2,428
Grubbing		475
		<hr/> \$13,799 17

**MILE 26.** The first 12 chains is a continuation of embankment and wall; the line then passes over bottom land tolerably good excavation through woods to lock No. 25, then begins another bluff requiring embankment in the river to the end of the mile.

Excavation,	12,300 cubic yards, at 11 cents,	1,359 80
Embankment,	47,945 do. 19 do.	9,109 55
Wall,	5,254 do. 60 do.	3,152 40
Grubbing,		546 00
		<hr/> \$14,167 55

**MILE 27.** All but about 12 chains of this mile will require embankment in the river, along a mill pond 4.77 below; water from 2 to 6 feet deep. Lock, No. 26 near the beginning of this mile. The line crosses Tom's creek, which must be passed under the canal; some excavation on the west end of the mile.

Embankment,	81,400 cubic yards, at 20 cents,	16,280 00
Excavation,	4,283 do. 12 do.	513 96
Wall,	7,068 do. 60 do.	4,240 80
Culvert from Tom's creek,		875
		<hr/> \$21,909 76

**MILE 28.** Passes for 24 chains over very good ground, to Brown's saw-mill, where a bluff commences; lock No. 27, at the beginning of the bluff; then 30 chains of embankment, 6 feet below, earth for which must be taken in part from the opposite bank. The remainder of the mile passes over bottom land. Some rock; excavation will be necessary; two bridges will be required.

Excavation	16,540 cubic yards, 10 cents,	\$1,654
Embankment,	54,100 do. 20 do.	6,820
Wall,	3,220 do. 60 do.	1,932
Rock,	660 do. 75 do.	495
		<hr/> \$10,901

**MILE 29.** The first 32 chains, passes over bottom land to a high bluff, (called Alum bank,) where an embankment 18 feet below will be necessary for about 24 chains; the river makes a short turn at this point, and is quite narrow, and during high water a strong current sets against this shore, when the canal will be much

exposed to ice and drift wood; a good foundation will be found for lock, No. 28; after passing the bend, located in this point. Some projecting points of rock must be cut off; after passing the lock, the embankment will be 9 feet below.

Embankment, 77,540 cubic yards, 20 cents,	15,508
Excavation, 10,637 do. 9 do.	957 33
Rock, 811 do. 75 do.	608 25
Wall, 5,728 do. 60 do.	3,436 80
	<hr/>
	\$20,510 38

MILE 30. A few chains of the beginning of this mile, will require embankment in the river; then passes over bottom land Soil, gravelly loam; a short piece of extra cutting, on the bank of the river, about the middle of the mile, will be necessary. Two bridges will be required.

Excavation, 23,790 cubic yards, at 12½ cents,	2,973 75
Embankment, 10,610 do. 16 do.	1,697 60
Wall, 846 do. 60 do.	507 60
	<hr/>
	5,178 95

MILE 31. The first 15 chains, to lock, No. 29, the ground is a little too low, and will require some embankment; the line then passes over good ground, 48 chains, to lock No. 30, at the beginning of rocky bluff, near Blairsville; which continues to the end of the mile, which terminates a little below the turnpike bridge, the wing walls of which, can be taken down, and the canal pass above the abutment, the road being of sufficient height to admit of a bridge over the canal, without altering its level.

Excavation, 19,263 cubic yards, at 9 cents,	1,733 67
Embankment, 21,350 do. 18 do.	3,843 00
Wall, 1,640 do. 60 do.	984
Rock, 654 do. 70 do.	457 80
Grubbing,	400
	<hr/>
	7,418 47

MILE 32. Commences at Blairsville, and with the exception of two short pieces of narrow bottom land, an embankment in the bed of the river, will be necessary; the whole distance from 6 to 12 feet below.

Embankment, 85,184 cubic yards, at 20 cents,	17,036 80
Excavation, 5,342 do. 10 do.	534 20
Wall, 6,426 do. 60 do.	3,855 60
	<hr/>
	\$ 21,426 60

**MILE 33.** Passes for 24 chains over a narrow piece of bottom land; some small undulations; then a high bluff of rock, requiring an embankment of 24 chains 12 feet below, to lock, No. 31. The line then passes over bottom land, near the river, and good excavation to the end; one road bridge for this mile.

Excavation, 18,676 cubic yards, at 9 cents,	1,680 84
Embankment, 42,190 do. 18	7,594 00
Wall, 2826 do. 60 do.	1,695 60
	<hr/>
	\$10,970 64

**MILE 34.** Passes over very good ground for a canal except a short bluff, requiring about 5 chains embankment in the bed of the river 10 feet below; crosses some small ravines, one of which will require a culvert. Considerable grubbing will be necessary. One farm bridge required.

Excavation, 24,968 cubic yards, at 9 cents,	2,247 12
Embankment, 6,704 do. 16 do.	1,072 64
Wall, 666 do. 60 do.	\$99 60
Grubbing,	280
Culvert,	746
	<hr/>
	\$ 4,745 56

**MILE 35.** Commences with a piece of deep cutting, and continues about twelve chains over very steep sideling ground; some rock will be met with in the bottom of the excavation; the line continues in the road on a narrow bank to Black Lick creek, which will require an aqueduct of 200 feet surface of water, 18 feet below and two feet deep. Lock No. 32 is located on the north bank of the creek, the ground is there good about sixteen chains, where a bluff begins, requiring embankment in the bed of the river to the end of the mile; two bridges will be necessary.

Excavation, 20,760 cubic yards, at 9 cents,	1,868 40
Embankment, 40,748 do. 19	7,742 12
do. 10,129 do. 13	1,381 77
Wall, 3,411 do. 60	2,046 60
Rock, 1,264 do. 75	948
Aqueduct over Black Lick,	3,475
	<hr/>
	\$17,461 89

**MILE 36.** Is a continuation of embankment in the river, and continues about half a mile; some large loose rock must be removed. Lock No. 33 on a narrow undulating flat which continues about thirty chains, then another bluff of slate and very compact sand stone the remainder of the mile.

Embankment, 92,936 cubic yards, at 20 cents,	18,587 20
Excavation, 7,910 do. 8	632 80
Wall, 6,408 do. 60	3,844 80
Rock, 800 do. 70	560
	<hr/>
	\$23,624 80

MILE 37. Passes for twenty-four chains along the last mentioned bluff, requiring embankment and wall; the line then crosses the point of a high flat, and about twelve chains of extra cutting will be incurred on the present line, but can be avoided by a more circuitous route; the excavation is, however, good and will serve for embankment; the ground then descends suddenly to a lower flat, across which the ground is good for a canal.

Excavation, 25,810 cubic yards, at 8 cents	2,068 80
Embankment, 31,440 cubic yards, at 18 cents,	5,659 20
Wall, 2,894 cubic yards, at 62 cents,	1,794 28
	<hr/>
	\$9,522 28

MILE 38. Crosses a road and a small brook near the beginning; a bridge and culvert will be required; lock No. 34, is located near the brook; the line then passes along a rocky bank in the bed of the river about twenty chains; then passes over a narrow flat and crosses Altman's run, which is 10.70 below, and must be passed with an aqueduct; the line then passes along another bluff which extends to the end of the mile.

Excavation, 9,418 cubic yards, at 8 cents,	753 44
Embankment, 61,810 cubic yards at 19 cents,	11,743 90
Wall, 5,659 cubic yards, at 60 cents,	3,390 00
Culvert,	475 00
Aqueduct,	1,565 00
	<hr/>
	\$17,927 34

MILE 39. Will require a heavy embankment along the base of a very high and rocky hill throughout, from 12 to 16 feet below.

Embankment, 156,060 cubic yards, at 20 cents,	\$1,212
Wall, 11,243 do. 50	5,621 50
	<hr/>
	\$ 36,833 50

MILE 40. The principal part of this mile passes along gentle sideling ground; some distance through woods, over an undulating surface; good excavation.

Excavation of 25,290 cubic yards, at 8 cents,		2,023 20
Embankment, 4,357	do. 16	697 12
Wall, 540	do. 50	270
Grubbing,		400
		<hr/>
		\$3,390 32

**MILE 41.** Passes over very good ground for a canal; a short piece of extra cutting will be necessary near the middle of the mile, which cannot be avoided; a culvert will be required to pass a small brook. The greater part of this mile is through woods. Lock No. 35 on this mile; some embankment requisite near the lower end, and some rock excavation.

Excavation, 24,098 cubic yards, at 9 cents,		2,168 82
Embankment, 5,244	do. 16	839 04
Rock, 1,216	do. 75	912
Grubbing,		400
Culvert,		540
		<hr/>
		\$ 4,859 86

**MILE 42.** Passes over stony undulating ground on a narrow bank for the first half, to lock No. 36, then runs at the foot of a high hill of slate, sand stone and bituminous coal, requiring embankment and wall in the bed of the river.

Excavation, 14,369 cubic yards, at 12 cents,		1,724 28
Embankment, 58,420	do. 19	11,099 80
Wall, 4,874	do. 60	2,924 40
Grubbing,		480
		<hr/>
		\$ 16,228 48

**MILE 43.** Passes along the side of a very rocky and narrow flat, too high for the canal, but will afford some earth for embankment, for about half the distance; then runs on gently sideling ground, and crosses a point of loose rock and continues along the side of a steep gravelly ridge to the end of the mile; some grubbing required.

Excavation, 15,450 cubic yards, at 9 cents,		1,390 50
Embankment, 72,300	do. 18	13,014
Wall, 5,142	do. 50	2,571
Rock, 1,890	do. 75	1,417 50
Grubbing,		250
		<hr/>
		\$ 18,643

**MILE 44.** Passes along the side of a steep gravelly ridge near the river, about half a mile tolerably good excavation, then runs on a gentle slope of good excavation to the end.



Excavation,	26,694 cubic yards, at 9 cents,	2,402 46
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MILE 45. Passes over good ground for a canal about 34 chains, and through woods, the line crosses a ravine and brook 10.00 below; will require some embankment, and a culvert; crosses a public road lock; No. 37 near the west end of the mile.

Excavation,	23,706 cubic yards, at 8 cents,	1,896 48
Embankment,	5,485, do. 14	818 30
Culvert,		875
Grubbing,		340

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3,929 78

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MILE 46. Runs over sideling ground and crosses a ravine requiring embankment and a culvert, then continues at the foot of a steep hill on a flat which is a little too low to lock No. 38, the line then passes a brook and over good ground to the end of the mile.

Excavation,	24,940 cubic yards, at 9 cents,	2,246 60
Embankment,	3,087 do. 14	432 18
Two culverts,		1,230
Grubbing,		120

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4,028 78

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MILE 47. The first 15 chains passes over good ground; an embankment of three chains will be requisite, the next 36 chains will be heavy embankment along a rocky bank in the bed of the river, fourteen feet below; some rock must be excavated, the remainder is favorable.

Excavation,	15,900 cubic yards, at 10 cents,	1,590
Embankment,	63,840 do. 18	11,491 20
Wall,	4,427 do. 50	2,213 50
Rock,	682 do. 60	409 20
Culvert,		375

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16,078 90

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MILE 48. Runs along a gentle slope near the margin of the river to lock No. 39, then continues in the road and crosses a ravine 4 chains wide, 3 feet below; a little extra cutting after crossing the ravine; soil gravelly loam and small stone.

Excavation,	31,200 cubic yards, at 8 cents,	2,496
Embankment,	2,130 do. 14	298 20
Culvert,		536

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3,330 20

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**MILE 49.** The first 32 chains passes over good ground to a ravine and road, the remainder of the mile passes in the road between a high hill and the river, and very stony.

Excavation of 25,280 cubic yards, at 9 cents,	2,302 20
Embankment, 5,870 do. 15	806 40
Culvert,	487 00
48 chains of road,	525

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\$ 4,120 60

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**MILE 50.** Passes over very rough stony ground along the foot of a rocky hill; for half the distance, it will be necessary to excavate some rock and alter the road, the remainder is good ground for a canal; some timber land, some embankment on the first part; lock No. 40 near the west end of the mile.

Excavation, 20,350 cubic yards, at 9 cents,	1,831 50
Embankment, 7,624 do. 15	1,143 60
Rock, 1,317 do. 75	912 75
52 chains of road,	450
Grubbing,	480

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\$4,817 85

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**MILE 51.** Passes over tolerable good ground for 32 chains, then an embankment of 24 chains to pass a bluff point, surface of water 13 feet below; the remainder of the mile passes over undulating ground covered with timber.

Excavation, 16,844 cubic yards, at 9 cents,	1,515 96
Embankment, 34,916 do. 18	6,284 88
Wall, 8,084 do. 60	1,850 40
Grubbing,	245 00

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\$ 9,896 24

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**MILE 52.** Begins on the south bank of Black-leggs creek 16 feet below, requiring an aqueduct of 100 feet, a feeder can be taken from the creek within a quarter of a mile. Lock No. 41, located 8 chains from the creek, a culvert will be necessary to pass the tail race of a saw mill; the line then runs at the foot of a high gravelly bank about 7 chains, then passes along a high rocky bank in the bed of the river 32 chains; the remainder of the mile passes over uneven ground covered with timber.

Excavation of 15,620 cubic yards, at 9 cents,	\$ 1,405 80
Embankment 54,600 do. 18	9,828
Wall, 4,140 do. 50	2,070
Aqueduct and culvert,	2,470 00
Grubbing,	380

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\$ 16,153 80

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**MILE 53.** Passes over undulating ground, soil gravelly loam, crosses three ravines, two of which will require culverts and some embankment; some grubbing necessary.

Excavation, 25,274 cubic yards, at 8 cents,	\$ 2,021 92
Embankment 5,810 do. 14	468 40
2 Culverts,	975 00
Grubbing	200 00
	<hr/>
	\$ 3,660 32

**MILE 54.** The first 24 chains is good for a canal, to lock No. 42; then an embankment mostly in the bed of the river, along the foot of a high rocky hill the remainder of the mile; river ten feet below.

Excavation, 8,269 cubic yards, at 10 cents,	826 90
Embankment, 59,430 cubic yards, at 20 cents,	11,886 00
Wall, 5,618 cubic yards, at 50	2,809 00
	<hr/>
	\$15,521 90

**MILE 55.** The first 8 chains is a continuation of the bluff; then a narrow flat commences with extra cutting about 32 chains; the remainder of the mile passes along a high rocky hill in the bed of the river 18.75 below. The line passes Rumboch's ferry road, where a bridge will be requisite.

Excavation, 16,462 cubic yards, at 9 cents,	1,481 58
Embankment, 66,643 cubic yards, at 19 cents,	12,662 17
Wall, 5,821 cubic yards, at 50 cents,	2,910 50
	<hr/>
	\$17,054 25

**MILE 56.** Crosses Routing run about 17 chains from the commencement, which will require a culvert of considerable size, 16 feet below. The line then passes over bottom 12 chains; the remainder passes over stony ground between a high rocky hill and the river; some timber.

Excavation, 33,526 cubic yards, at 8 cents,	2,682 08
Rock, 914 do. 75	685 50
Culvert for Routing run,	1,260 00
Grubbing,	350 00
	<hr/>
	\$ 4,957 58

**MILE 57.** Continues along the rocky hill; surface of ground undulating, with some rock excavation. Lock No. 43, near the commencement; the last 22 chains passes along a limestone ledge in the river 12.75 below; salt works on top of bank passed without injury.

Excavation, 24,480 cubic yards, at 8 cents,	1,958 40
Embankment, 26,674 cubic yards, at 18 cents,	4,801 32
Rock, 1,239 do. 75 do.	929 25
Wall, 1,911 do. 50	953 50
	<hr/>
	\$8,644 47

**MILE 58.** Passes for a short distance over very good ground, then follows the road on the side of a steep hill, and passes two salt works, which must be removed, and the road made on the side hill above the canal, the excavation of which will afford material, together with the excavation of canal, to form the bank. A greater portion of the material is porous, and will require lining with good water tight earth. The river along this point is narrow.

Excavation, 27,349 cubic yards, at 9 cents,	2,461 41
Rock, 1,216 do. 75 do.	912 00
64 chains of road,	768 00
	<hr/>
	\$ 4,141 41

**MILE 59.** Passes over ground similar to the last, some places of good excavation; three salt works to be removed; some solid rock must be excavated; the canal will occupy the road the whole of this mile.

Excavation, 30,620 cubic yards, at 9 cents,	2,755 80
Rock, 1,410 do. 75 do.	1,057 50
80 chains road,	960 00
	<hr/>
	4,773 30

**MILE 60.** This mile is gently undulating, and tolerably good excavation, passes four salt works in line of canal, and which must be removed. This mile will occupy the road; some grubbing necessary.

Excavation, 27,264 cubic yards, at 9 cents,	2,453 76
80 chains road,	960 00
Grubbing,	350 00
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	\$ 3,763 76

**MILE 61.** Commences near the head of the Big falls and at 8 chains; crosses Roaring run 10 feet below, lock No. 44 on the bank of the run; the line then passes over undulating ground, occupying the road in some places; some embankment is necessary. By constructing a dam at the head of the Big falls, 16 feet above low water, it would set back to about the middle of the 58th mile, thereby obviate the necessity of removing the salt works along this margin of the river, and secure to the salt works on both sides of the river within that distance, an equal advantage of the navigation.

Excavation, 18,614 cubic yards, at 9 cents,	1,675 26
Embankment, 14,760 do. 16	2,361 60
Aqueduct for Roaring run,	1,280 00
Grubbing, \$6 per chain	480 00
32 chains of road,	320 00
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	\$6,116 86

MILE 62. Passes over uneven ground, for the first 32 chains, to lock, No. 45, and crosses a ledge of rock, 5 feet above, one chain wide; the ground is then good, and crosses a ravine two chains wide, four feet below, requiring a culvert.

Excavation, 25,850 cubic yards, at 9 cents	2,326 50
Embankment, 1,436 cubic yards, at 14 cents,	201 04
Rock, 470 do. 75	352 50
Culvert,	535 00
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	\$ 3,415.04

MILE 63. Is generally favorable for a canal; soil, sandy loam and gravel; some timbered land; the line crosses two ravines, requiring embankment and culverts; passes the village of Warren.

Excavation, 26,696 cubic yards at 9 cents,	2,402 64
Embankment, 1,248 cubic yards at 14 cents,	174 72
Grubbing,	365 00
Two culverts,	975 00
	<hr/>
	\$3,917 36

MILE 64. Passes over very good ground, principally through heavy timbered land, and crosses a ravine about the middle of the mile, 6 chains wide, 5 feet below; then continues along the foot of a steep ridge, to lock No 46—16 chains of embankment in the bed of the river, 15 feet below, after passing the 64th mile to join the feeder, (as now called) or continuation of the canal down the Kiskeminetas.

Excavation, 24,614 cubic yards at 9 cents,	2,215 26
Embankment, 34,960 cubic yards at 18 cents.	6,292 80
Culvert,	850 00
Grubbing,	420 00
	<hr/>
	\$9,838 06

In addition to the above estimate should be added 46 locks of 8 feet lift, each, at \$600 per foot, if constructed of stone, and \$1500 per lock, if wood; also 35 bridges, with stone abutments, and superstructure of wood, 250 dollars each.

## RECAPITULATION.

Total amount of excavation, embankment, &c.	\$654,124 93
568 feet of lockage, at \$60 per foot,	220,800 00
35 bridges, at 250	8,750 00
32 miles of fence, at 480	15,360 00

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 \$899,034 93

Add for contingencies ten per cent,

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 89,903 49

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 \$988,938 42

If the locks are built with wood and rough stone,  
the constructing of 64 miles of canal, with 46  
locks, would amount to

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 \$836,138 00

All of which is respectfully submitted,

GEO. T. OLMSTED,  
*Assistant Engineer*

January 30, 1827.

## No. 8.

### Extract from the minutes of the board, in relation to the Northern route survey.

*Philadelphia, September 12, 1826.*

A letter and report from James Geddes, Esq. upon the survey of the northern route, were read.

Resolved. That a committee of three be appointed, to consider the report of Mr Geddes, upon the survey of the northern route.

Messrs. Lacock, Enoch and Mowry, were accordingly appointed.

*Philadelphia, September 13, 1826.*

The committee to whom was referred the report of Mr. Geddes, on the survey of the northern route, reported as follows:

"That the conclusion of Mr. Geddes seems, to them, to be warranted by the facts he has stated; and it may therefore be assumed, as certain, that a navigable communication cannot be effected by the West Branch and Sinnemahoning. There is a summit of considerable length, which cannot be adequately supplied with water.

This point, which was the principal object of inquiry, being thus ascertained, it became a question whether it was necessary, at this time, for Mr. Geddes to pursue the location further, that is, to follow the line of the Clarion river to its junction with the Allegheny river. He represented, that the next forty miles, from the spot where he had stopt, would be through a wilderness, entangled with a heavy growth of laurel and brush, where it would be impossible to transport their provisions by a wagon or by horses, and where they would be obliged to cut a road for themselves, at great expense, through the whole distance; the streams being too low for transportation by water. In this state of things, he asked for further directions, intimating, at the same time, his own opinion, that the work in that quarter had reached its natural termination.

The president, with the concurrence of Dr. Patterson, the only commissioner he could consult, directed Mr. Geddes to desist from that part of the work, until the further order of the board, and, proceeding to the Allegheny river, at Foxburg, to follow the line thence to the neighborhood of the mouth of the Kiskeminetask, so as to unite with the canal below. This forms part of the line from Pittsburg to Lake Erie, and has never yet been examined.

Under the circumstances stated, it appears to the committee, that it is unnecessary, at this time, to incur the expense of labor and money, that would be required for continuing the location along the Clarion river. The existence of an insuperable obstacle to a continued water communication, by that route, is rendered certain by what has been done, and a location to the westward of the impediment, would throw no additional light upon the matter. It may, nevertheless, be satisfactory, at some future time, (during the present season,) when a rise of the waters shall afford facilities, and Mr. Geddes, or other suitable person, can be spared for the purpose, to have the levels taken, and the distance measured down the Clarion river, so as to give a general view of the advantages and disadvantages of that line; and to point out the manner in which the navigation may be best improved. This will be very useful in settling a plan of improvement in that direction.

The committee therefore offer the following resolution:

Resolved, That the directions given to Mr. Geddes, by the president, on the second day of September, instant, be and the same are hereby approved and confirmed, and that Mr. Geddes be informed accordingly.

Resolved, That after finishing the location from Foxburg to the Kiskeminetas, Mr. Geddes be directed to proceed to locate a canal, along the remaining part of the Allegheny river, that is to say, the part which lies between Foxburg and French creek, so as to connect with the work below, observing the general directions in the president's letter of the 2d September.

Resolved, That Mr. Geddes be directed, as soon as may be practicable, after finishing the work on the Allegheny, to proceed to the examination along the Clarion river, from the point where he has stopped taking the levels and distances, and communicating

fully his views as to the best mode of improvement; and if he should find, that he will not be able to proceed to that work, during the present season, that he be directed to inform the board, in order that arrangements may be made for having it executed.

The foregoing report and resolution having been read, were unanimously agreed to.

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## No. 9.

### Report on the upper level of the Eastern Division of the Pennsylvania Canal, by William Strickland, James Geddes, N. S. Roberts and Canvass White, Engineers.

*To the President of the Board of Pennsylvania Canal Commissioners.*

SIR—Agreeably to the resolution of the board of canal commissioners, requesting their engineers to confer, and report their opinions upon the upper level of the eastern division of the canal, and upon the necessity of erecting a dam in the Susquehanna, the undersigned have taken these subjects into consideration, and in consequence of the great depression of the water in the river at the place from whence it is to be taken, are of opinion that this level ought to be raised and continued to a point at the upper reef of Foster's falls, near Clark's ferry, where a dam of three feet in height should be constructed across the Susquehanna, in order to give a proper depth of water for the passage of canal boats; and that an opening should be made through the dam of sufficient width in a right line with the channel, for the passage of the river craft, which opening should be so guarded with a wing wall above and below the dam, as to afford an easy access to, and through the outlet upon a slope of about 6 inches in the 100 feet.

We are of opinion that a dam so constructed would not interfere with, or obstruct, the natural navigation of the river,

WILLIAM STRICKLAND,  
JAMES GEDDES,  
NATHAN S. ROBERTS,  
CANVASS WHITE.

*Harrisburg, February 1, 1827.*



## No. 10.

**Resolution of the board of Canal Commissioners to extend the Eastern Division of the Pennsylvania canal, to a point at the upper reef of Foster's falls, near Clark's ferry, and raise the level thereof; approved by the engineer, and consented to by the governor.**

At a meeting of the canal commissioners of Pennsylvania held in the borough of Harrisburg, on the 3d day of February, 1827, it was

*Resolved*, That the location of the eastern division of the Pennsylvania canal, as fixed by resolution of 19th June last, be altered, by raising the upper level thereof, to the necessary height, and continuing it up the Susquehanna to a point at the upper reef of Foster's, falls, near Clark's ferry; and that application be made to his excellency the governor, to consent to this alteration.

I certify the foregoing to be a true copy from the minutes of the board.

JOS. M'ILVAINE, Sec'ry.

February 3d, 1827.

I approve of the alteration as made by the foregoing resolution,  
WILLIAM STRICKLAND.

February 3d, 1827.

I consent to the extension and alteration of the eastern division of the Pennsylvania canal as determined upon by the foregoing resolution of the board of canal commissioners, and approved of by the engineers.

J. ANDW. SHULZE.

Harrisburg, February 5, 1827.

## No. 11.

**Report of the committee appointed to superintend the subject of releases, on the proposed lines of communication between the eastern and western waters.**

The committee appointed in May last, to employ an agent to procure releases from land holders, on the several contemplated canal routes, beg leave to report:

That in compliance with their appointment, they employed John Steinman, of Harrisburg, for that purpose, at the price of one

dollar and fifty cents a day, he to bear his own expenses. He was furnished with the proper authority and instructions, and commenced his labors on the 20th of May, and closed them on the 20th of November last. He has returned into our hands a fair and full record of his proceedings, with all the releases which he procured, properly executed, which are herewith submitted to the board. His account for services done, is also rendered, which it is desired may be examined and paid.

A. LACOCK,  
C. MOWRY.

December 8, 1826.

*Report of John Steinman, on Releases.*

Releases taken on the Susquehanna, West Branch, Drift-wood branch and the Sinnemahoning, on the east side of the mountain, and on the west side the Clarion river and Toby creek and Allegheny river,	99
French creek and Allegheny river,	21
	<hr/> 120
Releases taken on the Juniata river, and on the Conemaugh and Kiskeminetas river, and on the mountain,	120
	<hr/> 240
Total amount,	240

Appointed by the canal commissioners on the twentieth day of May, 1826, and proceeded up the Susquehanna river to the West Branch, and up the same to the Sinnemahoning, and up the same to the Drift-wood branch, and up the same to John Harles; thence up the Allegheny mountain to Job Carr's, near the summit of the mountain, thence down the mountain on the west side, thence down the Clarion river or Toby creek, to the mouth, thence down the Allegheny river to the mouth of the Kiskeminetas, thence up the same to the mouth of the Conemaugh, thence up the same to Thomas Croyle's, thence up the river to the mouth of Benn's creek, thence up the same to the summit of the Allegheny mountain, thence down the mountain to the Beaver Dam branch of the Juniata; thence down the Juniata to the mouth, thence up the Susquehanna river on the east side to Milton; from thence up the Juniata river and down the Conemaugh and Kiskeminetas to the mouth, thence up the Allegheny river and French creek, to the fall in French creek, known by the name of M'Guffin's falls, thence down said French creek to the outlet of Conneaut, thence down French creek to the mouth of the Kiskeminetas; and returned from services rendered the commonwealth, on the twentieth day of November, being one hundred and eighty-three days, at one dollar and fifty cents per day, amounting to

	274 50
Printing, stationary and other contingent expenses,	18 75

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293 25

Laid on the table:

On motion of Mr. Knight and Mr. Hunt,  
Ordered, That fifteen hundred copies of the report, and the documents accompanying the same, be printed in the English, and five hundred copies in the German language, for the use of the members of the Senate.

On motion of Mr. Dunlop and Mr. Audenried,  
The following resolution was twice read, considered and adopted:

Resolved, That the Auditor General report to the Senate, as soon as convenient, the amount of stock of the several turnpike companies of this commonwealth, in which the state holds stock, stating the proportion held by the state and by the individual stockholders, and the amount of the tolls, expenses and debts of each of such companies, agreeably to the latest returns.

A motion was made by Mr. Ogle and Mr. Garber, and read as follows, viz.

Resolved, That a committee be appointed, whose duty it shall be to report their opinion to the Senate, on the expediency of passing a law providing, that when any person or persons, who shall apply to the legislature for a law, to lay out a state road, shall give six weeks notice, before the meeting of the legislature, by publishing the same in all the newspapers in each and every county through which such road is to pass.

Laid on the table.

Bill No. 118, from the House of Representatives, entitled  
"A supplement to the act entitled an act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation,"

Was read the second time, and

Ordered, To be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No. 108, entitled

"A supplement to the act entitled an act for the relief of Samuel Richards and Moses M'Cormick, and to authorise Daniel Beckley and others, to convey a lot of ground."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Hunt and Mr. Allshouse,

Said bill was read the second time, and

Ordered, To be transcribed for the third reading.

Agreeably to order.

The Senate resolved itself into a committee of the whole, Mr. Kitchen in the chair, on bill No. 127, from the House of Representatives, entitled

"An act establishing an academy in the town of Clearfield,"

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Petrikin and Mr. Ogle,  
Said bill was read the second time, and  
Ordered, To be prepared for the third reading.

On motion of Mr. Kitchin and Mr. Ogle,  
The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No. 137, entitled

“An act to incorporate the Union academy, at Doylestown.”

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Hamilton and Mr. Leech,  
Said bill was read the second time, and  
Ordered, To be transcribed for the third reading.

Adjourned until 10 o'clock, to-morrow morning.

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## FRIDAY, February 9, 1827.

Mr. Mann presented the memorial of sundry citizens of Montgomery county; praying for the repeal of the act relating to collateral inheritances, and remonstrating against the construction of the Pennsylvania canal.

A motion was made by Mr. Mann and Mr. Kerlin,  
That the said memorial be referred to a special committee.

On the question,  
Shall the memorial be referred to a special committee,

A motion was made by Messrs. Duncan and Garber,  
That the said memorial be referred to the standing committee,  
on roads, bridges and inland navigation.

On the question,  
Shall the memorial be referred to the committee on roads, bridges, and inland navigation,

A division of the question was called for by Mr. Ogle and Mr. Moore, to end with referring.

On the question,  
Will the senate agree to refer the memorial?

The yeas and nays were required by Mr. Mann and Mr. Ogle,  
and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Kitchin,	
Emlen,		Mann,	
Hambright,		Moore,	
Hamilton,		Ogle,	
Herbert,		Seltzer,	
Hunt,		Sturgeon,	
Kerlin,		Winter,	14.
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Leech,	
Duncan,		Petrikin,	
Garber,		Power,	
Hawkins,		Ray,	
Hay,		Sullivan,	
Kelley,		Mahon, speaker,	13.
Knight,			

So it was determined in the affirmative.

On the question,  
Shall the memorial be referred to the committee on roads, bridges and inland navigation?

The yeas and nays were required by Mr. Duncan and Mr. Garber, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Knight,	
Duncan,		Leech,	
Garber,		Petrikin,	
Hamilton,		Power,	
Hawkins,		Ray,	
Hay,		Sullivan,	13
Kelley,			
NAYS.		NAYS.	
Messrs. Audenried,		Messrs. Mann,	
Emlen,		Moore,	
Hambright,		Ogle,	
Herbert,		Seltzer,	
Hunt,		Sturgeon,	
Kerlin,		Winter,	
Kitchin,		Mahon, speaker,	14.

So it was determined in the negative.

A motion was then made by Messrs. Duncan and Garber,  
That the memorial be referred to the standing committee on the  
judiciary system.

Which was not agreed to.

Mr. Duncan and Mr. Garber then named the standing committee on claims.

Which was not agreed to.

On the question.

Will the Senate agree to refer the memorial to a special committee?

The yeas and nays were required by Mr. Duncan and Mr. Garber, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Emlen, Hambright, Hamilton, Herbert, Hunt, Kerlin,	Messrs. Kitchin, Mann, Moore, Ogle, Seltzer, Sturgeon, Winter, 14.
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Garber, Hawkins, Hay, Kelley, Knight,	Messrs. Leech, Petrikin, Power, Ray, Sullivan, Mahon, speaker. 13.

So it was determined in the affirmative.

Ordered, That Messrs. Mann, Ogle, Kelley, Hay and Hambright be the committee.

On motion of Mr. Kerlin and Mr. Sturgeon,

The petition presented yesterday, from sundry citizens of Delaware county, praying for the repeal of the act relating to collateral inheritances,

Was referred to the committee just appointed.

Mr. Winter presented the petition of sundry citizens of the counties of Lehigh and Northampton, praying for the laying out a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county.

Mr. Garber presented two remonstrances of similar tenor, from sundry citizens of Mifflin county, against the division of said county.

Said petition and remonstrances were laid on the table.

Mr. Petrikin from the committee on the subject, on leave given reported bill No. 140, entitled

"An act to annul the marriage contract of Patrick M'Donald and Catharine his wife."

Said bill was read the first time.

Mr. Mann from the committee on claims, to whom were referred the petition and documents of Robert Peeling, reported:

That they have carefully examined the petition and documents of Robert Peeling, a revolutionary soldier, and are of opinion that the prayer of the petitioner ought not to be granted; that in making this report, your committee consider it would be unnecessary to recite the services of the petitioner; inasmuch as his name appears on the United States' pension list, as drawing a pension from the general government, which fact has always been considered sufficient ground to reject the claim; they therefore offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Sturgeon,

The resolution attached to the above report was read the second time, considered and adopted.

The clerk of the House of Representatives being introduced, informed that the House of Representatives have adopted the resolution from the Senate, entitled

No. 104, "Resolution for the further distribution of the pamphlet laws of this commonwealth,"

With amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

On motion of Mr. Mann and Mr. Hunt, said amendments were read the second time; and

On motion, were committed to Messrs. Petrikin, Kitchin, Kerlin, Hawkins and Herbert.

The clerk also informed that the House of Representatives have concurred in the amendments by the Senate to the first section, and non-concurred in the other amendments to the bill from the House of Representatives, entitled

No. 116, "An act to improve a certain public road in Union and Centre counties, commonly called the Brush Valley Narrows, and to improve the road leading from Bedford to Armagh."

On motion of Mr. Ogle and Mr. Petrikin,

The Senate receded from the amendments non-concurred in by the House of Representatives, to said bill.

Ordered, That the clerk inform the House of Representatives accordingly,

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 103. "A supplement to the act entitled, An act for the relief of Samuel Richards and Moses M'Cormick, and to authorize Daniel Beckley and others to convey a lot of ground.

No. 137. "An act to incorporate the Union academy at Doylestown."

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

Bills from the House of Representatives, numbered and entitled as follow, were severally read the third time and passed.

No. 118. "A supplement to the act entitled, An act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation.

No. 127. "An act establishing an academy in the town of Clearfield."

Ordered, That the clerk return said bill's to the House of Representatives, with information that the Senate have passed the same without amendment.

A motion was made by Mr. Knight and Mr. Hawkins and read as follows, viz.

Resolved, That the committee on roads, bridges and inland navigation be directed to inquire into the expediency of authorising the board of canal commissioners to cause to be surveyed and levelled the river Monongahela, by a skilful and practical engineer, in order to determine the best mode of making a good navigation on that river, at the low stages of water, and at the same time securing to the country the benefit of the water power for machinery.

Laid on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 114, entitled

"A further supplement to the act entitled, An act for holding special courts of common pleas."

After some time,

The committee rose and the chairman reported the bill without amendment.

On motion of Mr. Hawkins and Mr. Garber,

Said bill was read the second time; and

On motion of Messrs. Garber and Petrikin,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with,

Said bill was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Adjourned until 10 o'clock, to-morrow morning.



**SATURDAY, February 10, 1827.**

Mr. Kitchin presented the petition of sundry citizens of Bucks county, praying for the repeal of the act relating to collateral inheritances.

Which was referred to the committee who have that subject under consideration.

Mr. Garber presented the remonstrance of sundry citizens of Mifflin county, against the division of said county.

Said remonstrance was laid on the table.

Mr. Knight presented the memorial of sundry citizens of Washington county, praying the legislature to inquire into the propriety of recommending to the other states of the union, to exert themselves in obtaining the abolition of slavery.

Which was referred to the committee who have the subject under consideration.

Mr. Kelley presented the petition of sundry citizens of the borough of Indiana, in Indiana county, praying for the extension of the boundary lines of said borough, and that it be erected into a separate election district.

Which was referred to Messrs. Kelley, Garber and Kerlin.

Mr. Kelley presented the petition and documents of Thomas Laughlin and Thomas Wilkins, of Indiana county, praying for authority to sell and convey certain real estate therein mentioned.

Which were referred to Messrs. Kelley, Audenried and Ryon.

Mr. Kelley presented the petition of sundry citizens of Indiana county, praying for a review of the state road lying between the borough of Indiana and Port Johnston.

Which was referred to the committee on roads, bridges and inland navigation.

The speaker laid before the Senate, a report, accompanied with documents, from the commissioners for the erection of a state penitentiary, in the city and county of Philadelphia, which were read as follows:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

The commissioners for the erection of a state penitentiary in the city and county of Philadelphia, report:

That with the appropriation granted at the last session of the

legislature, they commenced the work on the eighteenth day of April, one thousand eight hundred and twenty-six.

Without funds, or authority to make contracts on the faith of the state, until the passage and receipt of the act which bears date on the fifteenth day of March last, they could not adopt such preparatory measures, during the winter and early part of the spring as would have facilitated the progress of the building, and enabled them to procure materials on the most economical terms.

The annexed statements, furnished by the architect and superintendant, will exhibit the amount and kinds of work performed during the season, which closed on the 22d day of December last; also what remains to be done to complete such parts of the penitentiary as have been authorised to be built, together with an account of materials, &c. remaining on hand, all of which have been paid for.

Of the appropriation of eighty-nine thousand one hundred and twenty-four dollars and nine cents, sixty thousand have been received, leaving a balance of twenty nine thousand one hundred and twenty-four dollars and nine cents, applicable to that portion of the structure designed to be finished, which there is reason to believe, should the funds prove sufficient, will not require more than another season to accomplish.

The commissioners would call the attention of the legislature to the subject of providing by law for the settlement of a charge of one thousand dollars, part of the first draft of twenty thousand dollars, issued in December, 1821, nineteen thousand of which only was put at the disposal of the commissioners, owing to the alleged loss of the difference by Peter Mierchin, to whom it was sent, as president of the board, and who is deceased, a full account of which transaction was, at the time, communicated to the governor, and by him transmitted to the Senate and House of Representatives.

They would further represent, that the auditor general has not felt himself authorised to allow, in the settlement of the accounts of the commissioners, some small sums expended for carriage hire, &c. which they conceive ought not to be objected against, when it is remembered, that in the performance of an arduous duty, without any pecuniary recompense, they are required regularly to visit and inspect the works, at a season of the year so oppressive, as to render it unsafe and unreasonable to expect they would walk to the site of the penitentiary, several miles distant from their places of residence in the city. The commissioners confidently trust, that the legislature will provide for the allowance of the charges alluded to, and instruct the accounting department accordingly, for its future government in similar cases.

All which is respectfully submitted.

THOS. SPARKS,  
*President B. C.*

CALEB CANNALT,  
*Secretary P. S.*

*To the Commissioners of the New Penitentiary.***GENTLEMEN:**

In compliance with a resolution of your board, we have calculated the several kinds of work that has been done at the new penitentiary, during the past season, and respectfully report as follows.

*Digging and Carting.*

10,970 yards, digging the formation of the reservoir, walls for privies, foundations for walls, culverts, levelling of yards, cells, covered ways, passages and other works.

*Common Masonry.*

10,030 Perches masonry, in the erection of seventy-six cells, with their exercising yards and passages, three covered ways, 150 feet long, an octagon observatory, watch house and reservoir 55 feet high and 138 feet in circumference. The yard walls of the infirmary and keepers yards, 200 feet long by 20 feet high, each; 50 feet high of the centre tower, girting 50 feet; 10 feet of the octagon watch tower, girting 70 feet; 15 feet of the square tower, girting 100 feet; 650 feet of terrace wall, averaging 8 feet high and thirty inches thick. Haunches of all the arches filled in with masonry. The floors and abutments of 76 cells, filled in two feet thick and grouted, as well as the arched passages and rooms of the cells and infirmary.

*Hammer dressed Masonry.*

7,026 feet hammer dressed stone, worked in the formation of the jambs, lintels and sills of 78 cells and yard door ways. Coping of the terrace wall, eaves in the rear of the front building, and the inside facing of the towers.

*Chissel dressed Stone.*

3,552 feet worked set and pointed chissel dressed stone, used in the brackets, moulded cornice, battlements, coping and other external features of the towers of the front building and eastern tower.

*Marble Mason.*

1,568 feet of common blue marble, used in the formation of 78 cell door sills, 4 passage ditto, 8 observatory ditto, 3 flights of stairways, 3 platforms, 4 sets of chimney copings, 20 steps in the basement of front building leading to yard, sink stones, &c. &c.

line of last spring was seldom found more than twelve feet above the then surface; but in a short distance below the mouth of that stream, the Susquehanna was found to rise nineteen feet above the surface, (twenty-two or three feet above low water,) and in many places still higher.

Another unlooked for character, in the West Branch, is, there being *deep still water* at the foot of all the high rocky precipices, which have their bases washed by the stream, throwing the canal, consequently, into the river bed. The stream here has made its way along the valleys *among* the mountains and not *across* their course, as below Northumberland; and no rocks run across the bottom to the opposite shore. Where the river runs at the steep mountain's base, a section of the earth would show the same degree of steepness below the water's surface, that is seen above it; the bottom being a formation from the disintegrated rocks above. At one place, the wall to support a canal along the face of the rocks, would be based in water thirteen feet deep.\* The depth of the water, and height of the flood line, will in some places require a wall full thirty feet high.

Below Sunbury a contrary feature is uniformly found to prevail: the river runs across the ranges of mountains, and having passed over low places in them, has carried away all that was saluble, the rocks remaining make rapids and shallow water opposite all the narrows.† This character of the Susquehanna continues not only to the mouth of Juniata, but to tide.

The favorable parts of the route present great regularity of surface. Gentle slopes continuing long unbroken, except by some small ravines, scooped out by little rills, or a small swell to be cut through, where a mountain brook has dropped its alluvion. There is almost a total absence of that finger-formed surface which is so troublesome to engineers, requiring continual calculations of deep cuttings and embankings between.

There will be little expense attending the construction of feeders to supply amply, all the levels. But the paying for mills which must give up all their water, will be a considerable item.

A long embankment was found necessary to bring a level to Pine creek high enough for the passage of its floods under an aqueduct, and a serious deep cutting is to be passed through in approaching Muncy creek.

The line of canal, as brought down through Northumberland, is at that place, twenty three and a half feet (from canal surface to river surface) above the level of the lowest water found by Mr. Wilson, the autumn preceding; and a level still eight feet higher, can be brought to said place, interfering but little with the village

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\* Canal banks in the Mohawk river, state of New York, are in some places based in water ten and even fifteen feet deep; but the floods do not rise high.

† The term "narrows," is used for the contracted space between a steep rocky mountain and the river.

property—thus affording ample elevation for an aqueduct over the West Branch. The width of the stream here is thirteen hundred feet.

At the mouth of the Juniata, by carrying the canal on Duncan's Island, a level 24.24 feet above the river surface (full twenty six feet above low water) is obtained, with a supply of water from the river, taken in at Berry's falls, so that an aqueduct over the Susquehanna here, is practicable, if the width of the river (2350 feet) did not forbid.

Hon. JOHN SERGEANT, &c.

In the latter end of August, after examinations had been made by running levels and guagings treams, in Elk creek valley, and the valley of the Clarion river, the following report, with a map, (see the latter end of the atlas) was made to the president of the canal commissioners.

*Examination of the Sinnemahoning and Clarion summit.*

The product of the streams gauged, is as follows:

Streams Guaged	In 1825. Cubic ft. in 24 hours.	In 1826. Cubic ft. in 24 hours.
Upper fork of Clarion,	614,400	537,120
N. East fork of do.	471,460	402,336
Elk Lick run,	164,861	17,280
S. E. branch of Elk creek,	204,972	Kersey's { feeder. {
Kersey run below Carr's run,	75,427	
E. fork of Elk creek,	125,649	
West or (Sinnemahoning water)	113,842	
	<hr/> 1,770,611	<hr/> 1,158,565
Deduct, as now not worth making, the Kersey feeder,		135,445
		<hr/> 1,023,120

The remainder is,

But to 1,023,120, add 145,312, the product of six small streams not guaged last year, and the amount is 1,168,432 cubic feet per 24 hours.

The very serpentine course which a level line pursues down Elk creek, and up the Clarion valley (see the map) will lengthen the feeder and canal to more than 40 miles\* exclusive of the Kersey feeder, rejected.

Mr. Wilson's account of the fork's of the Clarion, is that there can be but little descent given to the feeder along the valley; therefore, the area of a cross section of the feeder must nearly equal that

\*Counting along the feeder and canal, from the mouth of Elk creek to a N. W. branch of West creek, the two points where the first additional supply of water can be had.

of a canal, as almost all the water to be had is to pass through a channel the most tortuous perhaps that was ever projected.

But the very steep sloping surface, upon which the whole line of canal and feeder must run from the west end of the proposed tunnel to the termination of the feeder, in the Clarion, is of the most appalling nature. The work is to hang, as it were, on the face of a mountain, the angle from fifteen to thirty degrees, and in some places steeper than the slope given to the canal banks, indisputably requiring the work to be supported by wood or stone. The difficulty of conducting a water-tight channel along the surface of such a steep, will imperiously demand that much allowance be made for unavoidable leakage. The water passes horizontally but a short distance through the ground, until it reaches the surface of the bank, a surface which, in all the Elk creek valley, receives the direct rays of the meridian sun.

There are likewise many spots of stony surface, some of them requiring that earth be carried to them to make a water-tight work.

Take 41 miles of canal and feeder, the feeder exposed to nearly the same waste of water with the canal, and the quantity that is found falls short of twenty cubic feet per mile per minute.\*

That the quantity found, would have been the same, had all the streams been gauged on Friday last, (Aug. 25th) there is no probability. The Elk creek streams were gauged on the 9th, 10th, 11th and 12th August; and from Friday the 18th, to Friday 25th, the water in the mouth of Elk creek, appeared to have diminished more than one half in said week.

A stone that was sunk in the Clarion river, at the mouth of Elk creek, for the purpose of observing the fall of the water, was left dry, in the course of said week; shewing evidently, that a considerable diminution had taken place, although a heavy shower had fallen in the fore part of said week.

A history of the weather this season, will show that it could not have been one of more extreme drought. The earliest settlers had never seen the Clarion river so high at the mouth of Elk creek, as it was raised by the late June and July floods. Every little branch had overflowed its banks, where there still remains the prostrate fern and other herbage, borne down by the overflowing flood. Showery weather continued to the end of July. On the 31st, there was a rain of sixteen hours length, only ten days before the gauging was commenced.

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\*In Mr. Sullivan's illustration of the report of the United States engineers to the president of the United States, made February 24th, 1825, page 79th, it is observed, "Canals in England, being in a very different climate do not in regard to water, afford data on which to rely. The canals of France, whose climate most resembles that of the middle states, differ greatly from each other, the mean of these, and of the best section of the Erie [canal] together, is a near approximation to the truth—evaporation and filtration, above 58.13 [cubic feet] per mile per minute."

Such sudden shrinking of the streams can be accounted for, only by considering the particular formation of the surface. The part of the country most elevated, may be viewed as table land, suited to receive the rains and give out durable water; but the proportion of this, to the steep mountains, of solid sand rock, is so inconsiderable, that the rain sliding from their shelving sides, gives the mountain torrents, where in a few days nothing will be found but dry channels.

In examining further the capability of this country to continue to afford durable water, it is worthy of note, that at the head of almost all the lateral valleys which supply the water to the Elk creek and Clarion river, there is a soil which would soon be cultivated, if the canal here proposed was made; and when the time arrives that these brooks shall yield nothing but the drainage of fields, entirely stripped of their woody covering, what proportion of their present discharge would they then give? Or should a rage for irrigation possess the proprietors of these grounds, the question may be asked, would any water arrive at and run through the proposed tunnel, in a dry time?

Through the country generally, last season was remarked as one of uncommon drought, and many were prepared to hope that double the quantity of water would be found, that was reported last year. Favorable situations for reservoirs, it was expected, would be found; but a dam raised twenty feet high, at the head of any of these valleys, would make but few acres of reservoir, so rapid is their descent.

Thus viewed, I do not hesitate in the opinion, that this summit would not have an adequate supply of water.

Very respectfully, I am sir,

Your most obedient servant

JAS. GEDDES, Eng'r.

HON. JOHN SERGEANT, President of the  
Board of Pennsylvania Canal Commissioners.

*Philadelphia, August 31st, 1826.*

Directed by the board, December 7th, 1826, in relation to the above summit, to report "such other facts and observations as may be necessary to make the subject fully understood."

*Additional Report, on the Clarion and Sinnemahoning Summit.*

The whole length of the Clarion feeder, from a point where the water is proposed to be received, to the line of canal, in Elk creek valley, is twenty-nine and a half miles. The length of canal, from where it strikes Elk creek, to the mouth of north branch of West creek, is nineteen miles; so that the feeder, and that part of the canal which has no other water than the supply thrown into the summit level, make together forty-eight and a half miles. In the above report, it was called forty miles. The quantity of water found (1,168,462 cubic feet per day) is equal to 811 cubic feet per



minute, which divided by 41 miles, made not quite 20 cubic feet per mile per minute. Divide 811 by  $48\frac{1}{2}$  the length now found, and the supply is not quite seventeen cubic feet per mile per minute.

The lockage on the Elk creek side of the summit, is 214.60 feet, near thirty-six six feet locks, to the point where the line enter Elk creek. On the west side, the lockage to the mouth of its north branch, is 172.42 feet, making twenty-eight six feet locks, by  $+ 4.42$  feet, together three hundred and eighty-seven feet—lockage, ascending and descending, between the points, at which any addition can be had to the summit water.

The Kersey feeder is rejected, because it was found, measuring on its meanders, to be seven miles long, running near the whole distance, on the faces of very steep slopes, so unfavorable to the making a tight water course, that it was not at all probable any of its waters could, in a dry time, reach the canal, but would be all lost in leakage, soakage and evaporation, before so small a quantity would run so great a distance. The discharge into the Kersey feeder is 135,445 cubic feet per 24 hours, equal to 94 cubic feet per minute, divided by seven miles, gives not quite thirteen and a half cubic feet per mile per minute—far short of a supply required for filtration and evaporation.

That part to be furnished by the Clarion is, 939,456 cubic feet per day, or nine elevenths of the whole supply, as gauged which 9-11 must run 46 miles, through feeder and canal, before it discharges itself into the lock at the mouth of the north branch of West creek, where the first new supply can be received on that side of the summit.

Considering the very unfavorable surface for making a water-tight canal, it is questionable, whether any quantity of water that the upper end of the feeder could receive, would reach through said forty six miles, without much descent and great enlargement of the cross section on the upper part of the feeder.

But the whole distance upon which the summit water would waste, is  $48\frac{1}{2}$  miles. Calculating with Mr. Sullivan, that 58.13 cubic feet per mile per minute, should be allowed for filtration and evaporation, the whole quantity required for said waste, would be  $48.5 \times 58.13 = 2819.3$  cubic feet per minute; but the quantity found by gauging, is 811  $+$  cubic feet per minute, less than  $\frac{1}{3}$  of what he requires for waste—lockage water out of the question.

After this view it would be, useless to enter into any calculation of the expense of making the canal and feeder, or tunnel; or the cost of a mile of canal on the face of a mountain so steep, as to require the removal of 240,000 cubic yards per mile, and very many such miles there are.

### *Susquehanna Valley.*

Directions from the board of canal commissioners, dated December 7th, 1826, required:

“A detailed result of the examinations from the mouth of



Juniata to the mouth of West creek, accompanied with the requisite draughts, profiles, estimates, &c."

Considering the important products of the Bald Eagle valley, it may be very reasonably expected that a communication by canal, with that valley, will be made; although the Juniata route to Pittsburg should be chosen. Under such impressions, a report on the line ran from opposite the mouth of Bald Eagle creek to the mouth of the Juniata, is made separate from the upper division, between Bald Eagle and West creek; and in a manner somewhat more particular, as said upper division, should the Juniata route be taken, would never be made.

*Susquehanna Valley—Lower Division.*

In making the following estimates of the cost of each mile, calculations are made on excavation, embanking, aqueducts and bridges—feeders at the end of the mile where they are brought in, added, at a rate per

m, begins opposite the northumberland, thence side of the river, to the

division.

	20,921
	4,534
	4,657
	3,969
	8,869
	6,832
feeder,	1,287
	6,947
	5,020
	6,107
	7,429
	5,345
	8,560
	6,120
	14,427
	<del>7,740</del>
	4,500
	1,518
	12,785
	22,602
	22,219
week feeder	2,100

## ESTIMATES—(Continued.)

MILE 41	\$17,544	Middle creek feeder,	\$2,000
42	5,885	MILE 77	10,359
43	18,097	78	9,536
44	7,842	79	8,620
45	42,656	80	5,640
46	62,514	81	8,103
47	4,497	82	3,955
48	4,531	83	5,259
49	4,900	84	5,006
50	4,052	85	6,259
51	5,841	86	5,152
52	4,168	87	5,985
53	6,560	88	6,580
54	8,434	Makontongo feeder,	4,740
55	6,072	89	5,295
56	7,670	90	7,040
Muncy creek feeder,	3,300	91	3,868
57	4,620	92	4,044
58	5,084	93	4,812
59	4,520	Feeder	500
60	4,020	94	7,190
61	4,970	95	4,420
62	5,490	96	4,450
63	5,127	Feeder fm. Barry's falls	5,940
64	9,400	97	5,720
65	5,102	98	5,460
66	6,646	99	18,436
67	3,868	100	8,138
68	4,420	101	5,269
69	9,600	102	4,508
70	22,089	103	5,220
71	5,793	104	27,615
72	4,568	105	3,420
73	4,932	106	4,989
74	10,884	85 yards of 107th mile,	770
Penns creek feeder,	7,004		
75	4,120	Amount of the 106	
76	4,772	+ miles, &c..	\$1,081,804

## LOCKAGE.

Locks 2	From the mouth of Bald Eagle, up to Pine creek level	16.25 feet.
14	From Pine creek level down to the river surface at Northumberland,	118.50.
2	From Northumberland up to Penn's creek level,	16..

Locks 12 From Penn's creek level down to the mouth  
of Juniata, 104.25 feet.

50	255.00
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The extra lockage is, at the upper end 16.25 up + 16.25  
down to said level again—at Northumberland 16  
down + 16 up to Penn's creek level, together 64.50

Leaving the fall from Bald Eagle to Juniata,	190.50
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Several miles will not need fencing on either side, and a part but on one side. Two hundred miles of fence will be near the length required. At 75 cents per perch, one mile is \$240.

Waste weirs will be required, one on each level, and for three long levels let three more be added, together 31. They may be made sufficiently large for 150 dollars each.

#### RECAPITULATION.

Estimates of the excavation, &c. of 106 -- miles,	\$ 1,031,804
Lockage two hundred and fifty-five feet, at \$150 †	38,250
Two hundred miles of fence, at \$240 per mile,	48,000
Waste-weirs, thirty-one, at \$150 each,	4,600
For water rights, put at	54,000
Aggregate,	1,176,654

Add 10 per cent. for contingencies, superintendence and engineers,	117,665
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The sum total is	\$ 1,294,319
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As the above estimates are made, there is but three thousand dollars put down for crossing the West Branch, at Northumberland. The sum is for erecting three piers, for taking boats across by what would be called a rope ferry, postponing, for the present, the consideration of an aqueduct or towing path bridge.

The plan of rising from the river, on the west side, by 2 eight-foot locks, is to be accomplished, by making a new summit, to be supplied by Penn's creek, as a feeder. When the purchase of water rights, at Penn's creek, (two valuable grist mills and a forge, is counted, adding the cost of thirty-two feet of lockage that would be saved, it is doubtful whether much additional cost would accrue by substituting an aqueduct. The first cost of four locks is readily ascertained, but the expense of repairs and attendance, ever after, would doubtless be estimated differently by different calculators. At present, the cost of water rights is difficult to fix. But a more important consideration remains; whether the whole

† The breast, upper wing-walls, and hollow-quoins, stone; the sides and foundation, wood.

water of Penn's creek would, at all times, supply the summit proposed. Should it at a suitable season for examination, be found insufficient, the aqueduct will be indispensable. A calculation more satisfactory will be made by those who shall hereafter be in possession of better data. That the navigation would be more perfect with an aqueduct, all will agree.

### *Susquehanna Slack water Navigation.*

Instructions of the president, afterwards enjoined by the board of commissioners :

"We shall wish, at some time, to have a full exposition of your views as to the practicability and advantages of an improvement of the Susquehanna, by a slack-water navigation. You will please, therefore, to give your attention to this subject, as occasion may offer, so that you may be enabled to give us detailed information as to the mode, expense, &c. &c."

The view of the Susquehanna valley, that has been taken, shews that little would be gained by substituting a slack-water navigation for a canal. The proportion of the low alluvial lands composing these shores, forbid the constructing of any other dams on the river, than very low ones; the consequence of which would be that the locks and dams would be very numerous. The towing paths would be often under water, unless raised to an expensive and inconvenient height.

The most expensive piece along the river is here noticed: It begins on the west side of Larry's creek, with the fifteenth mile, (lower division, map No. 2,) and continuing to the end of the sixteenth, two miles are included, the most costly and difficult to make safe of any equal distance on this part of the river.

The instability of a wall, just below the mouth of Larry's creek, may be apprehended. In this place the rapidity and direction of the current above, throws the floods so seriously against the high rocks, along the face of which the canal must be conducted, that the most substantial masonry will be required for its protection. A wall must be made where the water is deepest, to the height of thirty feet, to be above the floods which rise very high at this place. Heavy stones, well fitted together, must be used; and such stones are not readily procured here.

The expense of the aqueduct and heavy embankment, in the valley of Larry's creek, with their massive walls, puts the cost of these two miles above any other like distance. Their amount in the estimates made, is \$126,321, exclusive of lock.

To pass these two miles in the river, two extra locks and a dam would be required. The lift of the lower lock must be great, unless the dam is raised, higher perhaps than the low grounds on the river above will admit; then the whole supply of water to lock up out of the river into the canal, must be raised with machinery by water power afforded at the dam.

When the sum is ascertained that would be expended on this two miles of river navigation, with the addition of the sum that might be expended to avoid this increase of the lockage, with the

continued expense of repairs and attendance which the water-works would require, and the superior excellence of the canal over the river navigation, are all considered, it is questionable whether any alteration ought to be attempted. However, a view of this place for the particular examination of said alteration might present it in a different aspect.

As the river for seven miles below, has scarce any fall, the waters cannot be drawn from a dam at this place, without the enormous expese of having extra banks for a long distance, to keep the floods out of the canal. On this long level of the rivers the floods rise very high.

A departure from the line run, by passing Muncy hill in the river, deserves particular examination.

At Muncy hill, the river surface is 20.32 feet below the canal surface, as the line is run past said hill. Raise the water by a dam 4.32 feet high, and it will exactly correspond with the level in Milton village. Let the said level extend up to the dam and the river water will enter and pass through Milton, without an intervening lock. Give this piece of canal a descent of four inches per mile, and there will be still remaining at Milton, (according to Mr. Wilson's level of the preceding season) a fall of twenty-four feet, from the canal to the river, on which fall spare water might be used at this place. Continue the canal with the same descent per mile, without a lock, to opposite Lewisburg, where two eighty feet locks may be placed, and a fall of sixteen feet is here obtained for the spare water, still undisposed of. Mills would be worth much at this place opposite the Lewisburg bridge and turnpike from Penn's valley. The same water passing into the canal again runs on to Northumberland to be used once more, upon a fall of sixteen feet—the canal still calculated to continue with the same descent of four inches per mile. Let the depth of the water from the dam to Milton be five feet—surface forty feet—bottom twenty-five feet and the area of the cross section will be 162.5 superficial feet.

The velocity of a medium current in such a canal, calculated by Eytelwein's formula, is 17.3 + inches per second, equal to 86.5 + per minute, multiplied into the area (162.5 feet) yields 14,056 + cubic feet per minute. The quantity of water thus drawn through the canal, over what will be required for lockage, will be very valuable at all the three points above mentioned. From Milton to Northumberland, 4½ feet depth, may convey the water remaining.

The current in this canal above Milton would be nearly at the rate of a mile an hour, (17.30 + yards) which would accelerate the descending trade, but retard the ascending. If they were equal to each other, the advantage and disadvantage would be balanced; but as the descending trade would many times exceed the ascending, the current would be beneficial: Over seven feet of lockage is likewise saved in the 22 miles from Muncy hill to Northumberland, by the proposed descent.

By a comparison of the difference in expense of the two routes, taking into consideration the value of water rights, that might be disposed of, and of water rights, the purchase of which would be

dispensed with,\* (the river water being taken) and the sum saved by passing Muncy hill with a towing-path instead of a canal, and contrast them with the cost of a guard-lock and a lock to pass the river boats by the dam, with the cost of extra banks, to keep out the river floods, and there appears a difference in favor of the alteration of more than one hundred and twenty thousand dollars, to the saving of which sum, nothing can be objected, but that the passage along Muncy hill in flood time, will not be equal to the navigation of a canal.

Another piece of river navigation proposed. From Northumberland to Shamokin ripples, the river might be used, saving the thirty-two feet of lockage incurred by passing over Penn's creek summit; likewise the purchase of water rights on Penn's creek and Middle creek, with the cost of these feeders and aqueducts. The plan as follows:

Raise a dam at the Shamokin ripples five feet high, which would raise the water at Northumberland point, two and a half feet. From opposite Northumberland, carry a mound in the river, parallel with the shore  $1\frac{1}{2}$  miles, down to the dam, and a towing-path on shore. The mound carried to or near the surface of the river floods, would protect from the waves, the deep laden canal boats. From the dam, through a guard lock, let the canal follow down the river shore. The fall of the river below Shamokin ripples is such, that in less than a mile from said dam, extra banking to keep out the floods, would be at an end. At Penn's creek a lock of six and a half feet, would let the canal down to the level which passes M'Kee's falls. A level lower than this would deepen the rock cutting at and above said falls, and therefore inadmissible. As some descent ought to be given to bring the water from the river, through said piece of canal, the lock would be less than  $6\frac{1}{2}$  feet. Penn's creek would be made to correspond with said level, by raising the two dams belonging to the Selinsgrove millst a foot or so. Middle creek would be crossed by a dam, level with the paper-mill dam. The water from said works, must be passed in a deep tail race through a culvert under the canal.

A guard lock on each side, to pass the creeks when flooded, will be necessary, both at Penn's creek, and at Middle creek. But should Penn's creek prove insufficient to supply a summit, which is somewhat probable, and make the necessity for the aqueduct absolute, then the two routes may be compared as follows:

If an aqueduct 800 feet long, over the Allegheny, costs \$70,000, one at Northumberland, 1500 feet long, may cost double that sum; the difference between the two places, in procuring good stone, being very great.

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\*There would be the Muncy creek factory, Muddy creek, Limestone run, and Chillisquaque mills.

† See map, No. 8, lower division.

Aqueduct over the West Branch,	\$140,000
Aqueducts at Penn's creek and Middle creek, are, in the estimates, at	4,500
Put the sum saved by using the river, instead of a canal, for the $1\frac{1}{2}$ miles above mentioned,	10,000
	<hr/>
And the amount is	\$154,500

Against which is to be set off the dams and four guard locks, (without walled chambers,) at Penn's creek and Middle creek, with the deepened tail-race at the paper mill, which may cost, together,	8,500
The extra banks to be given the canal below Shamokin ripples,	8,000
	<hr/>
	11,500
	<hr/>

The saving,	\$143,000
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As the dam, at Shamokin ripples, would cost less than the water rights at said dam would be worth, nothing is set down for that item.

From the aggregate in page sixteenth,	\$ 1,176,654
Subtract the two sums above proposed to be saved,	263,000
	<hr/>

And the remainder will be	913,654
Add 10 per cent. for contingencies, superintendence and engineers,	91,365
	<hr/>

And the amount is	\$1,005,019
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Which sum, being divided by 106 miles, makes \$9,481 + per mile.

*Upper Division, from West creek to the Bald Eagle.*

West creek may be considered as entering the Driftwood branch of the Sinnemahoning, at the west side of the range of the Allegheny mountains, although the ground dividing the eastern from the western waters, is fifteen miles still further west, and the river may be viewed as having passed through the Allegheny range at Queen's run, having run, as measured on the canal line, a distance of seventy-one miles. The stream little exceeds the length of the canal line.

From West creek to Queen's run, the whole valley lies deep among the mountains. This stream, passing in contracted vales, or through narrow defiles, at the feet of towering eminences, has not, in all this distance, any falls or considerable rapids. In the whole of said distance through these mountains, there is not found, forming the bottom across the stream, any rock in place. At a time of extreme low water, an emigrant to the state of Ohio, cut a passage for his canoe, with his hoe, through every rapid, to the mouth of the portage branch, at the head of which branch, a brook of the Allegheny was turned down to the Susquehanna, a few years ago. Margins of arable land, bosomed among the moun-

tains, are found along the stream, sometimes very narrow, but seldom too narrow, or too circumscribed, for the adventurous mountaineer to set a house on.

Instead of roads, they on the water with their canoes, convey every thing. If a wagon is found on some of the best farms, it was brought there by water, and is destined to move only on the ground of the owner, or perhaps, to his next neighbor. A pack horse path has been made through the whole of this seventy one miles, and the canal line is run on the same side, always crossing the stream with the path. At very many of the narrows, the same side of the stream cannot be occupied, by both the road and the canal; a width for both would fill up the whole water course. A canal being made here, a road, and one for carriages too, would be indispensable, and it must be made on the opposite side from the canal, and at a great expense.

In the first eighteen miles below the mouth of West creek, the canal line crosses on the surface of the stream, above dams nine times. The crossing above the mouth of West creek, is by an aqueduct. The continual crossing the stream on its surface, makes a navigation not equal to an uninterrupted canal. Very high floods have risen, in one night; the rapid current thus produced, would stop the navigation for a day or two, while the flood subsides.

Considering the imperfection of this navigation, thus liable to delays, and even dangers, and the money saved by dispensing with the dams, guard locks, and towing path bridges, it is questionable whether a canal made altogether on the left bank, ought not to be preferred. A canal carried past the several narrows, by walling in the bed of the stream, would lessen the water-ways, throw the floods more on the lands, besides raising them higher. But as the floods do not rise high on the Sinnemahoning, nor is the water deep, the expense of walling in the stream, would be much less than in the Susquehanna, where the floods and depth of water is greater.

#### ESTIMATES—UPPER DIVISION.

MILE	1st.		MILE	16	
		89,080			5,100
	2	6,500		17	6,380
	3	5,800		18	6,385
	4	7,157		19	6,069
	5	4,360		20	15,213
	6	4,360		21	7,718
	7	6,413		22	9,756
	8	6,551		23	6,647
	9	6,551		24	14,655
	10	6,127		25	5,489
	11	4,060		26	27,776
	12	6,451		27	5,540
	13	6,874		28	8,806
	14	5,100		29	13,087
	15	8,160		30	15,582



## ESTIMATE—Continued.

MILE 31	5,500	MILE 56	11,787
32	12,177	57	22,007
33	15,050	58	81,295
34	15,767	59	5,079
Susquehanna west branch,		60	26,825
35	3,584	61	5,257
36	32,912	62	39,406
37	21,453	63	5,800
38	4,735	64	12,246
39	4,606	65	5,648
40	4,600	66	4,284
41	9,001	67	17,700
Kettle creek feeder,	2,000	68	20,658
42	31,450	69	31,889
43	47,300	70	20,395
44	7,000	Queens run feeder,	1,000
45	26,620	71	10,829
46	6,492	72	6,501
47	6,033	73	4,672
48	17,187	74	8,972
49	10,584		
50	7,170		905,803
51	19,625	Add for a mile further,	26,654
52	9,856		
53	8,525		8932,457
54	5,900		
55	25,520		

The above estimate from mouth of West creek, on the Drift-wood branch of the Sinnemahoning river to the Bald Eagle, giving the cost per mile, is for excavation, embanking, aqueducts, culverts and bridges, and the several feeders. The cost of fencing, waste weirs and lockage to be added.

## RECAPITULATION.

The whole lockage from a dam to be raised on West creek to the Pine creek level, is 498 feet at \$150 each,	92,700
There are 60 locks; a waste weir to each level, is 60 at \$150 each	9,000
Fencing—these 74 miles may require 100 miles of fence, which at \$240 per mile is	24,000
	119,700
Amount of the estimate per mile, is	932,457
Carried forward,	1,052,157

	Brought forward,	1,052,157
The purchase of water-rights,		6,000
Seventy four miles of road to be made,		148,000
		<hr/>
	Amount,	1,206,157
Add 10 per cent. for contingencies, superintendence, and engineers,		120,615
		<hr/>
	Total,	\$1,326,772
		<hr/>

Divide this total sum of \$1,326,772 by 75 miles, and the cost per mile is \$17,690.

I am, gentlemen, your most obedient servant, and respectfully submit the above,

JAMES GEDDES, Engineer.

*The board of the Pennsylvania  
Canal Commissioners,*

*Harrisburg, January 26, 1827.*

### No. 7.—*Juniata Route.*

## Report of the survey of the Juniata Route, by Canvass White, Esq.

*To the Pennsylvania Canal Commissioners.*

GENTLEMEN:

The contemplated communication between the Susquehanna and Allegheny rivers, by means of canals and rail-way, has been examined with the aid of Mr. G. T. Olmstead, assistant engineer, as far as the head waters of Juniata river. Indisposition prevented my accompanying the party any farther. The work was continued by Mr. Olmstead, my principal assistant; his maps and report will give a correct view of the country, and an estimate of the expense for constructing a canal from Johnstown to the Allegheny canal feeder. Previous to my indisposition, I made a partial examination of the country over which the rail-way must pass, and from the general appearance, I think the ground is favorably situated, considering the formidable barrier interposed between the eastern and western waters. A good turnpike road would probably answer all the purposes of transportation for several years, and a part of the bed could be occupied by the railway, whenever the business should require its construction. I would suggest the idea of making the canal boats in three or four pieces, to be divided transversely, and transported over the portage without changing the cargo.

The exploration for the canal was commenced on the west bank of the Susquehanna, below Sherman's creek, for the purpose of passing the river with an aqueduct; the line was carried along the valley of the river to the mouth of the Juniata, thence up the south bank of that river several miles, but the country was found to be unfavorable. The surface of the river above the falls, was assumed for the top water line, and the examination was then commenced at the east end of Duncan's island, where the Susquehanna is more than a thousand feet narrower than the point proposed for crossing below Sherman's creek. Two locks have been located at the end of the island, of 10 feet lift each, but are not numbered with the other locks along the line, not having determined the mode of crossing the river. I should propose passing it by means of a low dam from Duncan's island, or below Clark's ferry, at the upper reef of Foster's falls, which can be so constructed as not to interfere with the navigation of the river. If the dam should be raised four feet, it will make the two first locks eight feet lift each. My views on this subject, have heretofore been laid before the board. If an aqueduct should be adopted, the line of canal from the falls about five miles, must be raised, which will very much increase the expense; the bottom of the canal being but 16 feet above low water, will not be sufficient to pass the ice-floods and drift-wood. The aqueduct must be made sufficiently wide to allow boats to pass each other, in order to avoid delays, which must otherwise occur, in consequence of the great length of the aqueduct. From Duncan's island, the country is generally favorable for the construction of a canal on the left or north bank of the river, although the shores are in many places rocky, but do not present any very formidable difficulties. All the materials for the work can be conveniently procured, except stone for locks, that can be cut; the stone along the river are too hard for the chisel. Hydraulic cement has not been found convenient to the line. Locks may be so constructed with wood and rough stone, as to be durable and easily repaired;—the expense will be much less than stone locks. It should, however, be borne in mind, that great public works should be constructed in the most substantial manner; and wherever the nature of the case requires the use of timber exposed to decay, the work should be so planned as to be repaired during the winter season, thereby avoiding delays in the navigation.

An estimate of the expense for constructing a canal, 28 feet bottom, 40 feet surface of water, and 4 feet deep, is made for every mile, as near as circumstances will permit. Some deviation from the line as laid down on the maps may be made; but the general line cannot be deviated from much; the location of the locks may also be changed, probably for the better, in some places. The line when laid out for actual construction, will undoubtedly vary considerably in the amount of excavation and embankment. Some miles will require more, and some less; but in the whole may not vary materially. The locks are all 8 feet lift, except the last one, near the west end, which is 6 feet lift; and if built with wood and rough stone, they may be estimated at \$1,500; but if built with

stone laid in hydraulic cement, they should be estimated at \$1,000 per foot lift. The ground is generally favorable for the location of the locks, for no expensive rock excavation will be found necessary for the pits, although many will be founded on rock.

In estimating the expense of the aqueduct, they are calculated to be constructed with stone abutments and piers, with wooden superstructures. The culverts to be of stone, laid in cement. The number of bridges, as near as could be ascertained, have been noted, and amount to about 80; more will undoubtedly be found necessary during the progress of the work; they are estimated at \$200 each, to be built with stone abutments and wood superstructures. The quantity of fence necessary for the protection of farms through which the canal must pass, has not been ascertained, but probably will not amount to more than two-thirds of the whole distance, for both sides, and is estimated at 70 cents per perch. Feeders can be taken from the river at convenient points, but could not be judiciously located, without reviewing the ground, which time would not permit. I shall therefore put down this item at \$50,000; for dams, guard gates, and other necessary works.

The canal line terminates in a basin between the south and west branches, above Frankstown, at what may be called the foot of the Allegheny mountain, from which a turnpike road, or railway, must be made to connect with the navigation on the west side of the mountain.

The Juniata was gauged at the confluence of the south and west branches, and was found to afford, in very low water, 521 cubic feet per minute. Bench marks have been frequently made along the line, and stakes placed to designate the track.

The work on the west side of the mountain can be executed considerably cheaper than on the east, owing to the difference in price of provisions and labor.

**MILE 1.** Begins at the Susquehanna river on the east end of Duncan's island, and passes over good ground for a canal, along the north margin of the Island. Soil—sandy, loam and gravel.

Excavation 22,241 cubic yards, at 10 cents per yd. \$2,224 10

**MILE 2.** Continues along the margin of the island. Some extra cutting will be necessary through a piece of timbered land. The line then crosses a branch or arm of the Susquehanna, which empties into the Juniata; another branch returns to the Susquehanna, at the starting point of the canal, and forms a larger island above the one on which the canal line passes. The branch may be passed with an embankment, which is considered preferable to passing it with an aqueduct. Surface of water 10.18 feet below. The line crosses the turnpike road, which will require a bridge.

Excavation, 27,166 cubic yards, at 10 cents,	2,716 60
Embankment, 10,682 cubic yards, at 18 cents,	1,922 16
Grubbing,	200 00

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**\$4,098 76**

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**MILE 3.** Passes over good ground about half the distance to the point of a ridge which puts down to the river, and must be cut through—some rock will be met with in the excavation. The line then passes along the foot of a hill, in the bed of the river, and must be embanked and protected from the floods with a sloping stone wall, or heavy pavement. One bridge will be required for a ferry road. Some grubbing necessary.

Excavation, 13,916 cubic yards, at 10 cents,	1,391 60
Embankment, 44,523 cubic yards, at 16 cents,	7,123 68
Wall, 3,261 cubic yards, at 60 cents,	1,956 60
Rock, 620 cubic yards, at 62 cents,	384 40
Grubbing,	100 00
	<hr/>
	\$10,956 28

**MILE 4.** Commences at the end of the bluff, on last mile, and runs on a flat one chain wide—tolerably good excavation for 32 chains; then runs along at the foot of a rocky hill, for 9 chains—then another short piece of bottom land. A part of the mile is embankment in the bed of the river, outside of the turnpike, so as to make the wall that supports the road, one side of the canal. The turnpike will require raising from 4 to 5 feet—there will be some difficulty in obtaining earth for embankment—it must be carted some distance—the bank must be protected with a slope wall.

Excavation, 21,461 cubic yards, at 10 cents,	2,146 10
Embankment, 23,510 cubic yards, at 20 cents,	4,702 00
Wall, 2,040 cubic yards, at 62 cents,	1,264 80
	<hr/>
	\$8,112 90

**MILE 5.** The first 28 chains is a continuation of the rocky bluff—the remainder passes over an uneven surface—difficult excavation—some deep cutting along the margin of the river. Lock No. 1, at the end of the mile; considerable grubbing; a few chains of the turnpike will require raising; the bank must be protected with a slope wall.

Excavation, 22,360 cubic yards, at 12 cents,	2,683 20
Embankment, 29,700 cubic yards, at 20 cents,	5,940 00
Wall, 2,860 cubic yards, at 62	1,773 20
Grubbing,	150 00
	<hr/>
	\$10,546 40

**MILE 6.** Passes over gravelly soil and stony, difficult to excavate; for the most part through woods, parallel with the turnpike; the line passes the head of Juniata falls and Watson's ferry. A bridge must be built for the accommodation of the ferry. Lock No. 2, near the end of the mile.

Excavation, 26,610 cubic yards, at 13 cents,	3,459 30
Embankment, 4,854 cubic yards, at 13 cents,	631 02
Grubbing,	550 00

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\$ 4,640 32

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**MILE 7.** Crosses Brightfield's run, shortly after the commencement; this creek is 7.59 below, 50 links wide, and must be passed with an aqueduct. After passing the run, the ground is generally even and good excavation; some places large stone on the surface. Some embankment will be required at Brightfield's run.

Excavation, 20,430 cubic yards, at 11 cents,	2,247 50
Embankment, 3,584 cubic yards at 13 cents,	465 92
Aqueduct,	1,545 00

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\$ 4,058 22

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**MILE 8.** Crosses a small creek, that is 8.26 below, and must be passed under the canal; the line runs, for a short distance, on the margin of the river, along the side of a gravelly ridge—good excavation; then crosses a point of woodland; some large stone, after which the ground is good.

Excavation of 22,725 cubic yards, at 11 cents,	\$ 2,499 75
Embankment 1200 do. 12	144 00
Aqueduct	1,427 00
Grubbing	178 00

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\$ 4,248 75

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**MILE 9.** Passes over a flat, one chain and a half wide, and runs by the side of the turnpike; the whole distance along the foot of a steep hill; some extra cutting cannot be avoided; soil is sandy loam, clay and round stone.

Excavation, 22,086 cubic yards, at 12 cents,	\$ 3,850 32
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**MILE 10.** Passes over hard stony ground, for 32 chains, to lock No. 3; then runs on sideling ground; good excavation; and crosses the turnpike, which will require a new road above the canal, about 32 chains. One small brook will require a culvert, and a bridge for Power's terry road.

Excavation of 24,085 cubic yards, at 11 cents,	2,649 35
32 chains of turnpike road, \$37	1,184 00
Culvert, ,	300 00

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\$ 4,133 35

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**MILE 11.** Passes over clay loam and gravelly soil, on the level required; some grubbing will be necessary, and a culvert, to pass a small brook; also a road bridge.

Excavation of 22,600 cubic yards, at 12 cents,	2,712 00
Grubbing,	150 00
Culvert,	350 00

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\$ 3,212 00

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**MILE 12.** Will require considerable extra excavation, which cannot be avoided. Near the end of the mile is a projecting point of rock, which must be cut off, and an embankment of 12 chains, in the bed of the river, nine feet below, and will require walling—one farm bridge.

Excavation of 26,960 cubic yards, at 12 cents,	\$ 3,235 20
Embankment, 14,320 do. 15	2,148
Rock, 400 do. 60	240
Wall, 1,545 do. 62	957 96

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\$ 6,581 10

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**MILE 13.** The first part of this mile runs on a narrow flat, with extra cutting; the line then passes along the foot of a very precipitous and rocky hill on the river, and will require embankment and wall; the surface of water 6 feet below. The surplus earth, in the excavation, will serve in part for the embankment; the residue can be taken from the opposite side of the river.

Excavation, 19,174 cubic yards, at 10 cents,	1,917 40
Embankment, 37,050 do. 20	7,410
Wall 4,508 do. 62	2,794 96

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\$ 12,122 36

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**MILE 14.** Continues 16 chains under the hill last mentioned. Lock No. 4, at the beginning of a small flat covered with timber, which continues 8 chains; then another bluff of 12 chains, requiring embankment; after which a short piece of stony excavation, and another bluff, which continues to the end of the mile—bed of the river 11.58 below.

Excavation, 9,082 cubic yards, at 12 cents,	1,089 84
Embankment, 70,687 do. 18	12,714 66
Wall, 5,480 do. 62	3,397 60

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\$ 17,202 10

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**MILE 15.** Passes over rough, stoney ground, to Wild Cat creek, which must be passed with an aqueduct 150 feet in length; surface of the creek 11 feet below. After passing the creek, the ground is good—some grubbing.

Excavation, 27,640 cubic yards, at 12 cents,	3,316 80
Grubbing,	200
Aqueduct,	2,550

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\$ 6,066 80

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**MILE 16.** The first part of this mile will require embankment in the river, to pass a rocky ledge, 7.70 below; the ground is then gravelly, with round stone, and deep cutting along the bank of the river. The line crosses a ferry road, and a small creek that will require a culvert. The extra cutting will furnish stuff for the embankment.

Excavation,	26,268 cubic yards, at 13 cents,	3,414 84
Embankment,	25,400 do. 16	4,064
Wall,	2,451 do. 62	1,519 62
Culvert,		681
Grubbing,		100
		<hr/> \$ 9,779 46 <hr/>

**MILE 17.** Passes over sideling ground, and crosses the Cocalamus creek, one chain wide, and 7 feet below—some extra cutting on the east bank. Lock No 5 on the west bank of the creek; the ground is then good for the remainder of the mile—some extra cutting—one bridge will be necessary for the ferry road.

Excavation,	31,390 cubic yards, at 12½ cents,	3,923 75
Aqueduct for Cocalamus creek,		1,850
		<hr/> \$ 5,773 75 <hr/>

**MILE 18.** Passes over very good ground for a canal; soil, sand, gravel and some cobblestone—passes the village of Millerstown—some grubbing on the west end of the mile—a culvert will be required for a very copious spring—two bridges for the streets.

Excavation,	26,600 cubic yards, at 11 cents,	2,926
Culvert,		240
Grubbing,		50
		<hr/> \$ 3,216 <hr/>

**MILE 19.** Passes through the gap of Tuscorara mountain, the first part is gravelly soil, in woods, some excavation of rock will be necessary near the middle of the mile—the remainder is gravelly on the margin of the river, and extra cutting.

Excavation,	31,309 cubic yards, at 13 cents,	4,070 17
Rocks	796 do. 75	597
Grubbing,		150
		<hr/> \$ 4,817 17 <hr/>

**MILE 20.** Crosses a small creek that must be passed under the canal; the line runs over gravel and clay soil, and crosses a private lane. Lock No. 6.



Excavation 22,780 cubic yards at 12 cents	\$2,733 60
Culvert	950
	<hr/>
	\$ 3,693 60

MILE 21. The first 18 chains is easy to excavate, the next 22 chains will require considerable embankment along the side of a steep ridge of rock and loose stone, and for a short distance the turnpike must be raised; the ground is then good the remainder of the mile. One bridge will be required.

Excavation 16,430 cubic yards, at 12 cents,	1968 86
Embankment, 16,728 do. 13	2174 64
	<hr/>
	\$4,143

MILE 22. Runs on a flat of good excavation, along the foot of a steep ridge for about half the distance, then a steep gravelly ridge runs down to the river, requiring half the width of the canal to be cut into it, about 24 chains to form the bank, the outside of which will reach the water; the remainder of the mile good ground for a canal.

Excavation, 29,300 cubic yards, at 11 cents,	\$3,223
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MILE 23. Passes over very stony ground, on flat or bottom land. Crosses Delaware creek, which is 10 feet below, and bed 30 links wide; the valley is two chains wide; will require embankment. After crossing the creek the ground has a gentle ascent north; full of small round stone. Crosses the Thompsonston road.

Excavation 24,110 cubic yards, at 13 cents,	\$3,134 30
Embankment 2,640 do. 13	343 20
Aqueduct,	1,982
	<hr/>
	\$5,459 50

MILE 24. Is good for a canal, except 4 chains, that is too low at a little run, where a culvert will be required; 2 farm bridges on this mile.

Excavation, 22,860 cubic yards, at 11 cents,	2,514 60
Embankment, 3,100 do. 12	372
Culvert	420
	<hr/>
	\$3,306 60

MILE 25. The first 16 chains passes through woods over bottom land—good excavation—the next 40 chains runs in a wet swampy piece of ground, about the required level, at the foot of a steep ridge; the water can be easily drained—the ground then rises suddenly to 9 feet above, and continues extra cutting the remainder of the mile.

Excavation,	36,000 cubic yards, at 13 cents,	4,680
Grubbing and clearing,		540
		<hr/>
		\$ 5,220 00

MILE 26. Passes over sideling ground on the margin of the river and incurs deep cutting—that cannot be avoided. The soil is gravelly loam, good to excavate.

Excavation	43,400 cubic yards, 10½ cents,	\$4,557 00
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MILE 27. About 6 chains of this mile is good excavation, the remainder requires embankment along the foot of a limestone ledge, partly in the bed of the river, a culvert will be necessary to pass a brook, also two bridges; a wall will be necessary to protect the embankment part of the ledge. River 11 feet below.

Excavation,	13,100 cubic yards, at 11 cents,	1,510
Embankment,	18,812 do. 16	3,009 92
Culvert,		376
Wall,	1,530 do. 60	918
		<hr/>
		\$ 5,613 92

MILE 28. Passes over gravelly loam on bottom land—2 bridges.

Excavation,	20,970 cubic yards, at 10 cents,	\$2,097 00
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MILE 29. Some part of this mile will require extra cutting, on the bank of the river, mostly sandy loam and gravel; near the west end a considerable embankment must be made, under a high bank of limestone, alternating with slate; a low stony beach along the river covered only in high water, forms a good foundation for the bank; a wall will be necessary—stone can be easily obtained.

Excavation,	27,840 cubic yards, at 10½	2,923 20
Embankment,	19,890 do. 16	3,182 40
Wall,	2,568 do. 50	1,284
		<hr/>
		\$7,389 60

MILE 30. Crosses Do run at New Mexico, 10,80 below 20 links wide, one large arch would discharge the water in time of floods, also crosses a dry ravine, that will require a culvert to pass the water in time of heavy rains—the excavation is generally good.—Lock No. 8. located on this mile—two road bridges will be required.

Excavation,	26,700 cubic yards at 11 cents,	2,937
Embankment,	2,160 do. 14	302 40
Two culverts		1,580
		<hr/>
		\$4,819 40

**MILE 31.** Passes generally over sideling ground near the bank of the river; gravelly soil and easy to excavate.

Excavation, 22,400 cubic yards, at 11 cents, \$2,464 00

**MILE 32.** Passes for the first part along the margin of the river; some deep cutting is necessary; soil gravelly loam. An embankment is necessary to pass a projecting point of rock, a part of which must be cut off. The rock is composed of slate, lime and sand stone. The remainder is good excavation. A culvert will be required.

Excavation,	30,000 cubic yards, at 12 cents,	\$3,600
Embankment	13,800 do 16	2,208
Wall,	900 do 50	450
Rock,	470 do 60	276
Culvert,		350

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6,884

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**MILE 33.** Will require some embankment to cross a ravine, and a culvert for the brook. A new channel must be made for the brook; the line crosses it twice in four chains. A part of this mile runs along the side of a steep gravelly bank, on the margin of the river. The outside bank of the canal will run near the water's edge and will require some protection from the floods. Some grubbing. Lock No. 9, on the west end of this mile.

Excavation,	38,152 cubic yards, at 12 cts.	\$4,578 24
Embankment,	8,620 do 14	1,206 80
Wall,	841 do 62	521 42
Grubbing,		150
Culvert,		560

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\$ 7,016 46

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**MILE 34.** The first 32 chains will be hard stony excavation on sideling ground; then a short piece of embankment along the river. The line then passes over a narrow flat and crosses a creek 10.50 below. Soon after passing the creek an embankment becomes necessary to pass a bluff of slate rock; surface of river 11.22 below. An island opposite will afford good material for embankment. The line passes the village of Mifflin. One bridge for the ford.

Excavation,	15,840 cubic yards, at 14 cents,	\$2,218 72
Embankment,	32,636 do 20	6,527 20
Wall,	5,220 do 70	2,254
Large culvert,		1,450

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12,449 92

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**MILE 35.** The first 8 chains, is a continuation of the last mentioned embankment, the next 56 chains runs over bottom land easy

to excavate, crosses a small brook that must be passed under the canal. Lock No. 10, on bank of river, the remainder is on the side of a stony ridge, and will be difficulty to excavate.

Excavation,	23,904 cubic yards at 20 cts.	4,780 80
Embankment,	10,632 do. 15	1,594 80
Wall,	962 do. 70	678 40
Culvert,		456

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\$ 7,485 00

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MILE 36. Passes for the first part along the side of a gravelly ridge to the bank of Lost creek 18.50 below which must be passed with an aqueduct 200 feet in length. The ground after crossing the creek, is a little too low for about 8 chains, after which the line passes on sideling ground, consisting of gravel and stone, and ends in the valley of a small creek.

Excavation,	24,624 cubic yards at 13 cts.	3,201 12
Embankment,	6,880 do. 16	1,100 80
Aqueduct,		3,840 00

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8,146 92

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MILE 37. Commences in the valley of a small creek that will require a culvert, then runs twenty four chains across a flat of good excavation; the next ten chains is along the side of a steep gravelly ridge, mostly in the river. Lock No. 11, at the west end of the embankment; from the lock tolerable good excavation to the end of the mile.

Excavation	22,576 cubic yards, at 12½ cents,	2,822
Embankment,	9,582 do. 16	1,533 12
Wall	840 do. 75	630
Grubbing,		100
Culvert,		415

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5,500 12

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MILE 38. Passes over undulating ground, consisting of gravelly loam and stone; near the middle of the mile the turnpike touches the canal and will require raising; two small brooks will fall into the canal on this mile.

Excavation,	24,552 cubic yards at 14 cts.	3,437 28
Embankment,	3,440 do. 15	516 00
Grubbing,		58

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4,011 28

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**MILE 39.** Runs about parallel to the turnpike, or between the turnpike and river; over an uneven surface; difficult excavation, entrance to Long Narrows; ground covered with small timber.

Excavation, 26,560 cubic yards, at 15 cents,	3,984 00
Grubbing,	250 00
	<hr/>
	\$4,234 00

**MILE 40.** Passes over sideling ground for half the distance; many places large masses of detached rock on the surface; the remainder runs along between the turnpike and the river; will encounter some deep cutting. Considerable grubbing, some of it large timber.

Excavation, 30,508 cubic yards, at 13 cents,	3,973 84
Grubbing,	370 00
	<hr/>
	\$4,343 84

**MILE 41.** The first 15 chains passes along the margin of the river, over gravelly soil and round stone, to lock, No. 12; the remainder of the mile passes along the lower side of the turnpike; some places the bank can be made on a narrow flat; in others in the bed of the river; the turnpike is too low in some places, and must be raised. The hill along which the canal runs, is very precipitous, but will generally afford rough materials to form the outside of the bank; but good water tight earth, will be difficult to obtain. A protecting wall will be necessary along part of this mile; stone are convenient.

Excavation, 13,080 cubic yards, at 13 cents,	1,700 40
Embankment, 42,552 do. at 15 do.	6,382 80
Lining, 21,240 do. at 20 do.	4,248 00
Grubbing	350 00
Wall, 4,820 cubic yards, at 50 cents,	2,410 00
	<hr/>
	\$15,091 20

**MILE 42.** Continues to pass along between the river and the turnpike, in the narrows; average of embankment, 9 feet below; stone in sufficient quantities for the wall can be had along the line. Earth and stone, that has the appearance of having fallen from the hill, can be taken from above the turnpike, for outside of the bank, no excavation of consequence.

Embankment, 61,646 cubic yards, at 15 cents	9,246 90
Lining, 33,640 do. 25 do.	8,410 00

Wall, 7,231	do.	50	do.	3,615 50
Grubbing,				350 00
				<hr/>
				\$21,622 40
				<hr/>

**MILE 43.** The first 12 chains continue along the side of the turnpike—it then diverges and runs over very good ground, for 36 chains, very good excavation; then commences embankment, and continues to the end of the toll gate.

Excavation, 11,952 cubic yards, at 12½ cents,	1,494 00
Embankment, 40,564 do. 18 do.	7,301 52
Wall, 3,640 do. 50 do.	1,820 00
Grubbing,	450 00
<hr/>	
\$11,065 52	
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**MILE 44.** Runs on flat or bottom land; 16 chains and extra cutting, to lock, No. 13. The extra earth must be carried back to the embankment on the last mile; the remainder of the mile is gravelly loam and sand; some grubbing.

Excavation, 31,762 cubic yards, at 12 cents,	3,811 44
Grubbing,	125 00
<hr/>	
\$3,936 44	
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**MILE 45.** Is generally good for about half the distance; then a point of sandstone put down, which must be excavated for 5 chains, after which the ground is very good. Jack's creek crosses the line on this mile 13.78 below, and will require an aqueduct 100 feet in length; some embankment will be necessary about the creek; also, a farm bridge.

Excavation, 22,696 cubic yards, at 12 cents,	2,723 52
Embankment, 2,468 do. 14 do.	344 82
Rock, 1,466 75 do.	1,099 50
Aqueduct,	2,120 00
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\$6,287 84	
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**MILE 46.** Passes over clayey soil along the foot of a ridge, to lock, 14; the ground ascends gradually to the level of the second bottom or flat; the line follows along the margin of the ridge over clay loam, and gravelly soil; good excavation to within a few chains of the Kishacoquillis creek, where an embankment becomes necessary and an aqueduct, to pass the creek, which is 17.83 below. This stream would be valuable as a feeder, and can be taken into the canal by a cut of ¼ of a mile. One bridge.

Excavation, 24,236 cubic yards, at 12 cents,	2,908 52
Embankment, 4,725 do. 16 do.	756 00
Aqueduct,	2,450 00
	<hr/>
	\$6,114 52

**MILE 47.** Commences at Lewistown and passes for twenty-one chains along the foot of a steep ridge, on a flat 2 chains wide; gravelly soil—then runs along the side of a steep ridge on the margin of the river, for 20 chains; some slate rock will be met with on the bottom of the excavation; the remainder of a mile is on a flat along the foot of a gravel ridge; good excavation; the line crosses two small runs, that must be let under the canal. One bridge for the street at Lewistown, and a farm bridge.

Excavation, 28,560 cubic yards, at 13 cents,	3,712 80
2 culverts,	840 00
	<hr/>
	\$4,552 80

**MILE 48.** Passes on a narrow flat at the foot of a gentle ascent of a gravelly loam for 60 chains; the line crosses two brooks; one will fall into the canal, the other will require a culvert; the remainder of the mile will be embankment in the bed of the river 16 feet below, under a high bluff of slate and grawake rocks. The earth for embankment can be procured from either end of the bluff.

Excavation, 19,920 cubic yards, at 12 cents,	2,390 40
Embankment, 46,243 do. 19	8,786 12
Wall, 2,832 do. 62	1,755 84
Culvert,	450 00
	<hr/>
	\$13,382 36

**MILE 49.** The first 6 chains is embankment; the next 20 chains runs on a narrow flat in woods along the foot of a steep hill, tolerably good excavation; then a short piece of embankment, partly in the river; after which the ground is good.

Excavation, 19,662 cubic yards, at 12 cents,	2,359 44
Embankment, 26,208 do. 18	4,717 44
Wall, 1,520 do. 70	1,134
Grubbing,	175
	<hr/>
	\$ 8,385 88

**MILE 50.** Passes over sandy loam, and for a short distance at the beginning there will be some extra cutting that cannot be avoided; one bridge will be necessary

Excavation, 36,560 cubic yards, at 11 cents,	\$2,921 60
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**MILE 51.** Passes along the margin of the river over sandy loam; extra excavation cannot be avoided; an embankment will be neces-

sary towards the west end of this mile, to pass a high bluff of slate rock from 6 to 10 feet below.

Excavation,	30,526 cubic yards, at 11½ cents,	3,510 49
Embankment,	31,896 do. 18	5,741 28
Wall,	2,441 do. 65	1,586 65
		<hr/> \$10,838 42 <hr/>

**MILE 52.** Commences on a narrow flat of good excavation, a few chains to lock No. 15. Near the lock, the river takes a short turn to the left, the line cuts across the bend 32 chains, from 1 to 6 feet too high; the extra earth can be disposed of in an embankment that becomes necessary to pass a very precipitous and rocky hill of decomposed limestone and slate, embankment 15 feet below. The remainder of the mile is good excavation; one farm bridge.

Excavation,	28,340 cubic yards, at 12 cents,	3,400 80
Embankment,	34,762 do. 18	9,853 56
Wall,	3,472 do. 70	2,430 40
		<hr/> \$15,684 76 <hr/>

**MILE 53.** Passes generally over bottom land, easy of excavation. Five ravines and brooks cross the line on this mile, two of which will require culverts; one farm bridge.

Excavation,	22,655 cubic yards, at 11 cents,	2,492 05
Embankment,	1,635 do. 15	245 25
Two culverts,		928 00
		<hr/> \$ 3,665 30 <hr/>

**MILE 54.** Passes for the most part along the margin of the river at the foot of a gentle declivity; soil, sandy loam and gravel; a public road crosses the line; a culvert will be required for a brook.

Excavation,	26,242 cubic yards, at 12 cents,	3,149 04
Culvert,		934 00
		<hr/> \$4,133 04 <hr/>

**MILE 55.** The first 8 chains runs along at the foot of a steep gravelly ridge; the next 24 chains run on a stoney beach at the foot of a sandstone ledge from 4 to 10 feet below—the outside of the bank will require walling. Brightfield's run enters within this point 10.67 below, and will require an aqueduct. Lock No. 16, at the end of the bluff, after which the ground is good; the line crosses two small runs, which must be passed under; one farm bridge.

Excavation,	16,244 cubic yards, at 12 cents,	1,951 68
Embankment,	25,440 do. 18	4,579 20
Wall,	2,164 do. 60	1,310 40
Two culverts,		1,275 00
		<hr/> \$9,116 28 <hr/>



**MILE 56.** Is generally good excavation, 20 chains which passes a limestone ledge, will require embankment in the bed of the river 17.30 below, and protected with a wall; one farm bridge.

Excavation,	20,552 cubic yards, at 12 cents,	2,430 24
Embankment,	27,056 do. 18	4,870 08
Wall,	2,660 do. 62	1,649 20
		<hr/> \$8,949 52

**MILE 57.** Begins in the woods on a low flat, crosses a ravine 2 chains wide, and will require a culvert; good excavation until the point of a ridge puts into the river, and will require half the width of the canal to be cut into the ridge to get stuff sufficient for the bank, a short piece of which must be protected by a wall; the remainder of the mile is good excavation; one farm bridge.

Excavation,	23,904 cubic yards, at 12 cents,	2,868 48
Embankment,	7,780 do. 13	1,011 40
Wall,	1,242 do. 62	770 04
Grubbing,		450 00
Culvert,		975 00
		<hr/> \$6,074 92

**MILE 58.** Passes generally over sideling ground. Soil sandy, loam and gravel, with small round stone, some timber on the west end.

Excavation of 22,640 cubic yards, at 12½ cents.	2,830
Grubbing	70
<hr/>	

2,900

**MILE 59.** Passes along the foot of a low ridge over clay and gravel, generally easy to excavate. Wakefields creek and another small run crosses the line; the bed of the creek is ten feet below and 50 links wide; a public road crosses the line, near the beginning of this mile.

Excavation,	26,517 cubic yards at 12½ cents,	3,283 37
Aqueduct and culvert,		1,838
		<hr/> 5,121 37

**MILE 60.** Begins with a rocky bluff requiring an embankment in the bed of the river 14 chains 9.7 below. Lock No 17, at the west end of the embankment, the line then passes along the foot of the high land; good excavation, one farm bridge will be necessary.

Excavation,	18,606 cubic yards at 12 cents,	2,232 72
Embankment,	18,678 do. 18	3,362 04
Wall,	1,680 do. 62	1,041 60
		<hr/> 6,636 36

**MILE 61.** The first part runs on the side of a steep gravelly ridge near the bank of the river, considerably undulating; the last 32 chains is over a gentle slope, rather difficult excavation; 14 chains is through timbered land.

Excavation,	22,463 cubic yards at 13 cents.	2,920 19
Grubbing,		100
		<hr/>
		3020 19

**MILE 62.** The first 48 chains of this mile passes over sideling ground; some large stone on the surface, and some limestone rock may be met with in the bottom of the excavation, a small creek crosses the line 11.38 below, 50 links wide; after crossing the creek, there is 18 chains of good excavation, then an embankment continues past the town of Waynesburg to the end of the mile; the bed of the river is 13 feet below.

Excavation,	15,548 cubic yards at 12½ cents	1981
Embankment,	42,072 do. 18	7,572 96
Wall,	2,928 do. 70	2,049 60
Culvert,		1,565
		<hr/>
		13,168 56

**MILE 63.** Will require some extra cutting, after crossing M<sup>o</sup>-Vays run and some embankment, ravine 12.50 below, a large arch will discharge the water; the line continues along the bank of the river and crosses another run requiring a culvert, Lock No. 18, a rocky bluff commences and occupies the last 4 chains of this mile, requiring a heavy embankment; a bridge for a road at the beginning of this mile.

Excavation,	31,537 cubic yards at 12 cents,	3,784 44
Embankment,	9,248 do. 16	1,479 68
Wall,	568 do. 60	840 80
2 Culverts,		1,843 00
		<hr/>
		7,447 92

**MILE 64.** Commences with a continuation of the heavy embankment which extends 16 chains along the points of slate rock, then a low piece of bottom land begins, across which the line runs for 24 chains along the foot of a steep ridge, the side of which will afford earth for the embankment; the residue of the mile is not very good excavation; a brook crosses the line 11 feet below which must be passed under the canal; one farm bridge will be required.

Excavation,	16,980 cubic yards, at 12	2,037 60
Embankment,	32,848 do. 16	5,255 68
Wall,	4,254 do. 60	1,340 40
Culvert,		620
		<hr/>
		9,253 68

MILE 65. Passes over good ground for a canal, sandy loam, easy to excavate, will require one farm bridge.

Excavation,	22,646 cubic yards, at 11 cents,	2,491 06
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MILE 66. A part of this mile is very stony and difficult to excavate, 24 chains is through heavy timbered land; one brook will fall into the canal; one bridge will be necessary.

Excavation,	26,525 cubic yards at 13 cents,	3,422 38
Grubbing,		240

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3,662 88

MILE 67. Passes along the margin of the river 24 chains to lock No. 19, near a ripple called Samuel's fish dam. The residue runs over sideling ground, sandy loam easy to excavate.

Excavation,	25,608 cubic yards at 11 cents,	2,824 80
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MILE 68. Will require 8 chains of heavy embankment to pass a high rocky hill. It will be necessary to excavate about three chains of limestone before coming to the embankment, after passing the bluff; the point of a ridge 4 feet too high, must be cut through, then good excavation to the end of the mile; the line crosses a brook that is 10 feet below, which will require a culvert.

Excavation,	19,527 cubic yards, at 12 cents,	2,343 24
Embankment,	14,024 do. 16	2,243 84
Rock,	849 do. 60	509 40
Wall,	1,136 do. 50	568
Culvert,		538

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\$ 6,802 48

MILE 69. Passes, for the most part, along the margin of the river, in a road, at the foot of a high, rocky hill; the road, in places, must be moved; some extra cutting cannot be avoided, and some grubbing necessary.

Excavation,	27,843 cubic yards, at 12½ cents,	3,480 37
Grubbing,		160
24 chains of road,		380

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\$ 4,020 37

MILE 70. This mile continues in the road 64 chains, to the bank of Beaver dam run, which is 8 feet below, and will require a large culvert; some embankment will be necessary, after crossing the run. Lock No. 20 near the west end of the mile.

Excavation,	23,512 cubic yards, at 12½ cents,	2,937
Embankment,	6,680 do. 13	868 40
Culvert,		1,375
64 chains of road,	20' dolla.	1,280

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\$ 6,462 40

**MILE 71.** The excavation will not afford sufficient earth to form the banks for the first 24 chains; the remainder passes over excellent ground for a canal, to the end of the mile; two bridges will be required.

Excavation,	19,521 cubic yards, at 12 cents,	2,342 52
Embankment,	5,832 do 15	874 80
		<hr/> \$ 3,217 32

**MILE 72.** Begins with lock No. 21, and passes over good land for a canal; soil gravelly, loam and small stone; some embankment will be necessary at a small ravine and brook; 16 chains pass through woods; one bridge will be required. This mile passes Aughwick falls.

Excavation,	25,116 cubic yards, at 12½ cents,	3,159 50
Embankment,	1,442 do 13	187 46
Grubbing		160
		<hr/> 3,486 96

**MILE 73.** Passes over gravel and cobblestone, for half the mile, to lock No. 22; difficult to excavate. The line crosses the outlet of a large spring, at Newton Hamilton, that will require a culvert; the remainder is good excavation, and crosses another brook, that will require a culvert; one bridge will be necessary.

Excavation,	25,920 cubic yards, at 13 cents,	3,369 60
Two culverts,		950
		<hr/> 4,319 60

**MILE 74.** Passes over an undulating surface, generally along the margin of the river; soil gravelly loam; embankment will be necessary to pass a small ravine. The canal will destroy a tan yard; some grubbing; the latter part runs at the foot of a rocky hill; 18 chains of road must be moved.

Excavation,	27,263 cubic yards, at 12½ cents,	3,410 37
Embankment,	1,642 do 13	213 46
Grubbing,		150
Removing road,		240
		<hr/> 4,013 33

**MILE 75.** Passes generally over sideling ground; soil gravelly loam, good excavation. Lock No. 23, near the west end of this mile.

Excavation,	19,060 cubic yards, at 12 cents,	2,284 80
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**MILE 76.** Passes over ground very favorable for a canal; soil gravelly loam; 14 chains of timbered land.

Excavation,	19,685 cubic yards, at 12 cents,	2,362 20
Grubbing		140
		<hr/> 2,402 20

**MILE 77.** Is good ground for a canal about sixty chains, then a steep stony side hill, having a narrow flat at the base, which is six feet too low, and on which the bank must be made; sixteen chains of timbered land. Lock No. 24 about the middle of the mile.

Excavation, 21,248 cubic yards, at 12 cents,	2,549 76
Embankment, 11,366 do. 16	1,818 56
Grubbing,	160
	<hr/> 4,528 32

**MILE 78.** Is favorable ground for a canal—one culvert will be required—two public roads cross the line—some grubbing will be necessary.

Excavation, 26,463 cubic yards, at 12 cents,	\$,175 56
Embankment, 1,440 do. 14	201 60
Culvert,	570
Grubbing,	200
	<hr/> \$ 3,947 16

**MILE 79.** Lock No. 25 is located near the beginning of this mile; the line passes over an uneven surface; soil sandy loam, gravel and clay; generally good excavation; two small brooks will fall into the canal; 20 chains through woods.

Excavation, 27,371 cubic yards, at 12½ cents.	3,421 37
Grubbing,	200
	<hr/> \$5,621 37

**MILE 80.** Crosses three points of ridges from one to four feet too high, is considerably undulating, and difficult excavation, about 54 chains; then an embankment becomes necessary in the river, 11 feet below, along a high perpendicular limestone ledge, to the end of the mile; some grubbing, and one bridge; the embankment must be walled.

Excavation, 18,592 cubic yards, at 12½ cents,	2,524
Embankment, 35,376 cubic yards, at 19 cents,	6,724 44
Wall, 2,960 cubic yards, at 60 cents,	1,776
Grubbing,	150
	<hr/> \$10,974 44

**MILE 81.** Is a continuation of the embankment along the bluff about twenty-eight chains, the line then passes over a narrow flat, 10 feet above, about 13 chains to lock No. 26; the extra earth will afford material, in part, for the embankment; 10 chains from the lock commences another embankment in the river, which continues to the end of the mile, along a ledge of slate rock; river 12.50 below; the wall must be continued to the end of the embankment.

The same being under consideration,

A motion was made by Mr. Ogle and Mr. Petrikin,  
To postpone the consideration of the bill for the present.  
Which was agreed to.

On motion of Mr. Hambright and Mr. Petrikin,

The Senate resumed the second reading and consideration of  
bill No. 124, entitled

“A supplement to the act, entitled An act authorising the governor to incorporate the Conestogo navigation company.

The first section being under consideration,

A motion was made by Mr. Duncan and Mr. Hambright,  
To amend the same, by adding thereto the following proviso,  
viz

“And provided further, That nothing contained in this section shall be construed to authorise the said Conestogo navigation company, to engage in or carry on directly or indirectly the business of manufacturing of any kind or nature whatsoever.”

Which was agreed to.

A motion was then made by Mr. Dunlop and Mr. Sullivan, further to amend the section by striking out of the fourteenth and fifteenth lines, the following, viz.

“Thereon to raise, repair and erect all such machinery as they may think proper,” and insert in lieu thereof the following, “And repair any mills and machinery already erected as they may think proper.”

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Duncan and Mr. Audenried,  
To postpone the question together with the bill for the present.  
Which was agreed to.

Bill No. 128, from the House of Representatives, entitled

“An act to exempt from taxation the property of the Pennsylvania institution for the deaf and dumb,”

Was read a second time.

The first and only section was considered and agreed to.

The title being under consideration,

A motion was made by Mr. Hay and Mr. Power,  
To postpone the title for the present, for the purpose of introducing the following, to be called section two.

Section 2. And be it further enacted by the authority aforesaid, That the lot of ground and buildings erected thereon, on the west side of Seventh street, in the city of Philadelphia, belonging to the German society, contributing for the relief of distressed Germans in the state of Pennsylvania, shall be and remain free from the payment of taxes as long as the same shall be employed in direct aid and occupation of the said institution.”

On the question,

Will the Senate agree to the motion?

Excavation, 19,921 cubic yards, at 12 cents,	2,390 52
Embankment, 24,123 cubic yards at 18 cents,	4,342 14
Wall, 2,376 cubic yards, at 62 cents,	1,473 12
	<hr/>
	\$8,805 78

MILE 86. The first 16 chains pass over gravelly loam, 10 chains of which is through woods; then an embankment becomes necessary about 43 chains under a steep bank, loose rock and slate 9 feet below; the next 15 chains will be deep cutting along the foot of a steep ascent, to lock No. 29; the line then crosses the point of a ridge.

Excavation, 16,757 cubic yards, at 12 cents,	2,010 84
Embankment, 51,170 cubic yards, at 18 cents,	9,210 60
Wall, 5,208 cubic yards, at 60 cents,	3,121 80
Grubbing,	100
	<hr/>
	\$14,443 24

MILE 87. Passes over sideling ground, consisting of gravelly loam, round stone, and large rock, along a branch of the river, forming an island; the line crosses a small brook requiring a culvert, and crosses Mill creek near the west end of the mile, 11.23 below; an aqueduct 60 feet in length will be required; an embankment 4 chains long, 9 feet below, to cross half the valley; the stream branches above the point of crossing, and forms an island, the water of both branches can be turned into one. This mile ends in the valley of the creek. Lock No. 30, is located on this mile.

Excavation, 23,894 cubic yards, at 14 cents,	3,345 16
Embankment, 9,520 cubic yards, at 16 cents,	1,523 20
Aqueduct and culvert,	1,765
	<hr/>
	\$6,633 36

MILE 88. Begins in the valley of Mill creek, crosses the second branch; the line then crosses the point of a ridge to another small creek eleven feet below, requiring an embankment to cross the ravine ten chains long on the top and six chains on the bottom, eight feet below; then rises to extra cutting about fifteen chains, and descends to another brook and ravine requiring four chains of embankment, after which the line runs along the bank of the river in cutting; easy to excavate. One bridge will be necessary on this mile.

Excavation, 25,642 cubic yards, at 11 cents,	2,820 62
Embankment, 21,695 do 14	3,037 50
Two large culverts,	1,645 00
	<hr/>
	7,502 92

MILE 89. Passes along the side of a gravelly ridge for half the distance; the remainder passes over bottom land of clay and sand.

Excavation, 16,473 cubic yards at 12 cents,	1,976 76
Embankment, 45,548 cubic yards, at 18 cents,	13,796 64
Wall, 6,292 cubic yards, at 62 cents,	3,901 04
	<hr/>
	819,674 44
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**MILE 82.** Will require four chains of embankment at the beginning, then 12 chains of excavation, in which some rock will be met with; the next 26 chains pass under high cliffs of rock, sometimes occupying the road—Jack's narrows, considerable embankment will be necessary; there will be some difficulty in obtaining material for embankment; a wall be required. The remainder of the mile, rough and uneven, but will afford excavation sufficient to form the bank; a bridge will be required for Drake's ferry road.

Excavation 16,936 cubic yards, at 13 cents	2,201 68
Embankment, 40,450 cubic yards, at 22 cents,	8,899
Wall, 2,621 cubic yards, at 50 cents,	1,310 50
26 chains road, 25 dols.	650
Rock, 928 cubic yards, at 75 cents,	736 50
	<hr/>
	813,797 68
	<hr/>

**MILE 83.** Commences with deep cutting along the margin of the river, on a flat one chain wide, generally good excavation for 48 chains, then runs along under a rocky hill; an embankment must be made in the river, 24 chains outside of the road, the turnpike passes along this mile, and in some places will require raising; surface of river 6 feet below; the last 8 chains good excavation.

Excavation, 20,438 cubic yards, at 12 cents,	2,452 56
Embankment, 24,504 road and canal, 20 cents,	4,900 80
Wall, 2,160 cubic yards, at 60 cents,	1,296
	<hr/>
	88,649 36
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**MILE 84.** Begins with lock No. 27, passes over sideling ground, and for a short distance along the edge of a water course, forming an island in moderately high water; the last 14 chains will be embankment in the bed of the river, 8.27 below, under a high bluff of rock; the road will require raising.

Excavation, 21,912 cubic yards at 12 cents,	2,629 44
Embankment, 18,794 cub. yds. canal and road, at 18,	3,415 82
Wall, 1,686 cubic yards, at 62 cents,	1,045 32
	<hr/>
	87,090 08
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**MILE 85.** Continues with embankment under the last mentioned bluff, 20 chains along which the road must be raised; 4 chains from the bluff to lock No. 28; from the lock to the end of the mile, the line passes along a gentle declivity; soil gravelly loam, good excavation; one bridge will be necessary.



Excavation, 19,921 cubic yards, at 12 cents,	2,390 52
Embankment, 24,123 cubic yards at 18 cents,	4,342 14
Wall, 2,376 cubic yards, at 62 cents,	1,473 12
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	88,805 78

MILE 86. The first 16 chains pass over gravelly loam, 10 chains of which is through woods; then an embankment becomes necessary about 43 chains under a steep bank, loose rock and slate 9 feet below; the next 15 chains will be deep cutting along the foot of a steep ascent, to lock No. 29; the line then crosses the point of a ridge.

Excavation, 16,757 cubic yards, at 12 cents,	2,010 84
Embankment, 51,170 cubic yards, at 18 cents,	9,210 60
Wall, 5,208 cubic yards, at 60 cents,	3,121 80
Grubbing,	100
	<hr/>
	814,443 24

MILE 87. Passes over sideling ground, consisting of gravelly loam, round stone, and large rock, along a branch of the river, forming an island; the line crosses a small brook requiring a culvert, and crosses Mill creek near the west end of the mile, 11.23 below; an aqueduct 60 feet in length will be required; an embankment 4 chains long, 9 feet below, to cross half the valley; the stream branches above the point of crossing, and forms an island, the water of both branches can be turned into one. This mile ends in the valley of the creek. Lock No. 30, is located on this mile.

Excavation, 23,894 cubic yards, at 14 cents,	3,345 16
Embankment, 9,520 cubic yards, at 16 cents,	1,523 20
Aqueduct and culvert,	1,765
	<hr/>
	86,635 36

MILE 88. Begins in the valley of Mill creek, crosses the second branch; the line then crosses the point of a ridge to another small creek eleven feet below, requiring an embankment to cross the ravine ten chains long on the top and six chains on the bottom, eight feet below; then rises to extra cutting about fifteen chains, and descends to another brook and ravine requiring four chains of embankment, after which the line runs along the bank of the river in cutting; easy to excavate. One bridge will be necessary on this mile.

Excavation, 25,642 cubic yards, at 11 cents,	2,820 62
Embankment, 21,695 do 14	3,037 50
Two large culverts,	1,645 00
	<hr/>
	7,502 92

MILE 89. Passes along the side of a gravelly ridge for half the distance; the remainder passes over bottom land of clay and sand.

loam. One small brook will fall into the canal; a few chains lies through swampy ground, having a ridge between the canal and the river.

Excavation,	26,880 cubic yards, at 12½ cents,	3,360
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MILE 90. Is uneven and cuts the points of two ridges, making some extra cutting—soil clay and gravelly loam; one farm bridge will be required.

Excavation,	27,636 cubic yards, at 12½ cents,	3,454 50
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MILE 91. Passes over flat or bottom land, parallel with and near the turnpike road. Soil clay and gravel, with some stone; good excavation. Lock No. 31, about the middle of the mile, crosses a brook 7.24 below; 25 links wide, and will require a large culvert; some embankment will be necessary; extra cutting after crossing the brook to the end of the mile; some grubbing.

Excavation,	25,242 cubic yards at 12½ cents,	3,155 25
Embankment,	3,461 do. 14	484 54
Grubbing,		125

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3,764 79

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MILE 92. Passes on a narrow flat in the turnpike road at the foot of a high hill of grawacke rock, about 40 chains to lock No. 32, then an embankment becomes necessary in the bed of the river 16 chains; the turnpike must be raised; the line then passes along a steep side hill, and crosses the turnpike, on the bank of Standing Stone creek. The water in this creek is eleven feet below, and will require an aqueduct 130 feet in length, three chains of embankment will be necessary after passing the creek 4½ feet below to the end of the mile; a culvert for a small run will be required.

Excavation	16,980 cubic yards, at 12 cents,	2,037 60
Embankment,	35,060 do. 18	6,310 80
Wall,	1,952	1,171 20
Aqueduct, \$2,360 culvert \$450,		2,810

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12,319 60

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MILE 93. Begins with an embankment across the valley of Standing stone creek 13 chains in length, from 2.50 to 4.50 below. Lock No. 33 and 34, with a short pond between, are located at the commencement of the high land in the town of Huntingdon. After locking, the ground rises suddenly to 11 feet above the level, passes through a street, leaving sufficient room on the north side of the canal for a road, and taking part of the width of the canal from the south tier of lots, which will occasion the removing of the out-buildings, stables, &c. the ground soon descends to a proper level, after passing the town and crossing a ravine 17.50 below, 6 chains wide on the top and two on the bottom; the line continues on the side of a steep ridge to the end of the mile. Three bridges, will be

culvert for the last ravine; the extra excavation will furnish stuff to form the embankments.

Excavation,	31,760 cubic yards, at 12½ cents,	3,970 00
Embankment,	29,276 do. 17	4,976 92
Culvert,		886

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\$ 9,832 92

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MILE 94. Passes along the side of a steep ridge, consisting of gravel, loam and cobble stone for the first 56 chains; the remainder is over a very rough and uneven surface near the bank of the river along the foot of a rocky hill; the last 16 chains will occupy the road; a new one must be made above the canal; 10 chains is through woods.

Excavation,	27,526 cubic yards, at 13 cents,	3,578 38
Sixteen chains of road,		320 00
Grubbing,		100 00

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\$ 3,998 38

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MILE 95. The first 48 chains is very rough and undulating, passing for the most part over loose rock at the foot of a high rocky hill, excavation is difficult, some solid rock must be excavated, some embankment will be required, the remainder is on a flat one chain wide, tolerably easy to excavate—soil, sandy loam and gravel—lock No. 35, near the end of the mile—a new road must be made the whole length of the mile.

Excavation,	23,040 cubic yards, at 13½ cents,	3,110 40
Embankment,	4,885 do. 16	781 60
Rock,	960 do. 1 00	960
Road,		950
Grubbing,		235

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\$ 6,037 00

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MILE 96. Passes over ground similar to the last mile—considerable rock cutting and embankment will be necessary; and a new road—some grubbing.

Excavation,	21,760 cubic yards, at 13½ cents,	2,937 60
Embankment,	12,341 do. 16	1,974 56
Rock,	1,623 do. 1 00	1,623
Road,		1,375
Grubbing,		300

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\$ 8,210 16

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MILE 97. The first 28 chains is a continuation of the ground last described, to lock No. 36—the line then runs on a gentle slope of good excavation—crosses the outlet of a large spring that will fall into the canal—twelve chains lies through timbered land.

Excavation,	29,347 cubic yards, at 12½ cents,	3,668 37
Rock,	640            do.    1 00	640
Road,		458
Grubbing,		225
		<hr/>
		\$ 4,991 37

**MILE 98.** Passes over gravelly loam, interspersed with round stone—generally good excavation—considerable light grubbing—two locks are located on this mile, No. 37 and 38—a culvert will be required to discharge the water from a large spring—near the end of the mile a farm bridge will be required.

Excavation,	26,369 cubic yards, at 12½ cents,	3,164 28
Culvert		887
Grubbing,		300
		<hr/>
		\$4,351 28

**MILE 99.** Is very good for a canal the first 56 chains, the next 16 chains passes along the foot of a high perpendicular rock and will require embankment and wall in the bed of the river 7.50 below outside of the road, which must be raised. The river at this point must be widened and the earth taken for embankment, the remaining 4 chains passes Shoenberger's forge, good excavation; a bridge will be required and a small culvert for a spring.

Excavation,	21,248 cubic yards, at 12½ cents,	2,549 76
Embankment,	21,760    do. canal and road at 20 cts,	4,352
Culvert,		275
		<hr/>
		\$ 7,176 76

**MILE 100.** Passes through a garden in the rear of Shoenberger's house; lock No. 39 located near the garden, considerable embankment will be necessary to pass the valley of Shaver's creek 6.52 below, and require an aqueduct 150 feet in length, after passing the creek some extra excavation will be incurred, which can be used in the embankment; lock No 40 is located at the end of the extra cutting; the excavation is good to near the end of the mile, and to the valley of the Little Juniata; two bridges will be necessary

Excavation	32,256 cubic yards, at 12½ cents,	4,032
Embankment,	19,880    do.    17	3,379 60
Aqueduct, for Shaver's creek,		2,564
		<hr/>
		\$9,975 60

**MILE 101.** Commences with an embankment across the valley of Little Juniata, 15 chains to the river and lock No. 41; the ground is 2.45 above for 4 or 5 chains, before arriving at the river; a culvert will be required for the race of a grist mill, at the beginning of the mile—the bed of the Little Juniata is 14 feet below, 2 chains wide

and must be passed with an aqueduct; this stream can be taken into the canal as a feeder at a small expense; considerable embankment will be necessary after crossing the stream for 15 chains; and a culvert will be wanted for the race of a fulling mill; the line then passes over good ground about 34 chains; then a rocky bluff puts in, requiring heavy embankment and wall in the bed of the river, to the end of the mile.

Excavation, 10,754 cubic yards, at 12 cents,	1,290 48
Embankment, 63,652 do. 20 do.	12,730 40
Wall, 2,443 do. 75 do.	1,682 25
Aqueduct and 2 culverts,	2,883 00
	<hr/>
	\$18,586 13

MILE 102. The first part is a continuation of the embankment in the bed of the river, 17 feet below, which continues 16 chains; the earth for embanking this and the last mile, must be taken from the opposite side of the river, so as to enlarge the channel; the line then passes along steep sideling ground; soil gravelly; loam and stoney about 32 chains; the remainder is over bottom land; good excavation; soil loam, 22 chains through woods.

Excavation, 21,684 cubic yards, at 12½ cents,	2,710 50
Embankment, 32,326 do. 20 do.	3,465 20
Wall, 2,243 do. 75 do.	1,682 25
Grubbing,	225 00
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	\$ 8,082 95

MILE 103. Ten chains from the commencement of this mile is located, lock 42; the line then crosses the point of a ridge, with extra excavation, and then continues along the foot of a gentle declivity on a wide flat of clay and gravelly loam, good excavation, the line crosses the turnpike and ends in deep cutting on the margin of the river; three bridges will be necessary.

Excavation, 30,640 cubic yards, at 13 cents,	\$3,983 20
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MILE 104. Passes for the first part along the foot of a high rocky bank requiring embankment in the river—the line then passes along a narrow flat of good excavation, to lock, No. 43 and continues a short distance along the side of a gravelly ridge through woods; the line then passes along in the bed of the river at the foot of a steep hill of limestone and slate; requiring 16 chains of heavy embankment and wall; the remainder passes on a narrow flat, and ends about the centre of the town of Alexandria; some embankment will be necessary along the town.

Excavation, 15,712 cubic yards, at 12 cents,	1,885 44
Embankment, 44,260 do. 18 do.	7,966 80
Wall, 3236 do. 75 do,	2,427 00
Grubbing,	250 00
	<hr/>
	12,529 24

**MILE 105.** Begins at the town of Alexandria, and passes over flat land; soil, gravelly loam, and some stone; the line crosses the turnpike, near the end of the mile. Lock, 44, on this mile; 8 chains through woods; two farm bridges.

Excavation, 27,363 cubic yards, at 13 cents,	3,420 37
Grubbing,	80 00
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	3,500 37
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**MILE 106.** Commences at lock, No. 45 and passes over good ground for a canal, for the first 18 chains; the line then strikes the turnpike and runs along the foot of a high hill, and along the turnpike for the remainder of the mile, which must be continued on the bank of the canal next the river and re-cross at the end of the mile; the west part of the mile will be difficult to excavate; 22 chains through woods; two bridges.

Excavation, 31,936 cubic yards, at 13 cents,	4,151 68
Grubbing,	250 00
Turnpike road,	1,450 00
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	5,851 68
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**MILE 107.** The first 24 chains is tolerably good excavation, and passes Sping Mill, for which a culvert will be required for outlet race; some embankment will be required at the mill; the remainder passes along the side of a high rocky hill where coarse material may be had to form that bank in part, which must be lined with good water tight earth procured elsewhere; the outside of the bank will run in the bed of the river; woods throughout the whole distance. Lock No. 46 on this mile.

Excavation, 26,656 cubic yards, at 13 cents,	3,465 28
Embankment, 8,580 do. 20 do.	1,716
Culvert,	560
Grubbing,	750
	<hr/>
	6,491 28
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**MILE 108.** A part of this mile passes over very good ground; another part is very rocky, and will require considerable embankment, and lies altogether through woods. Lock. No. 47 on this mile; the whole length is along the foot of a high rocky hill.

Excavation, 24,960 cubic yards, at 12½ cents,	3,120 00
Embankment, 9,776 do. 20 do.	1,955 20
Grubbing,	850 00
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	\$5,925 20
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**MILE 109.** Runs through a very narrow pass for the river between the mountains, where an embankment must be made for a short distance in the bed of the river, and the earth taken from a narrow flat, opposite; the ground continues rocky for a short distance to lock, No. 48; the line then passes along a very gentle slope of good excavation; ground covered with laurel bushes; the line passes another limestone point, part of which must be excavated, the last 24 chains is through cultivated fields, gravelly loam.

Excavation,	24,815 cubic yards, at 12½ cents,	\$3, 01 87
Embankment	13,782 do 20	2,756 40
Rock,	864 do 75	634 50
Wall,	612 do 50	304 00
Grubbing,		280 00
		<hr/> 7,026 77

**MILE 110.** The first 40 chains are a little uneven, and has some difficult excavation to lock No. 49; the remainder passes over sandy loam, and gravel, easy to excavate; one small brook will fall into the canal; one road and one farm bridge requisite.

Excavation,	27,460 cubic yards, at 13 cents,	\$3,569 80
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**MILE 111.** Passes along the foot of a ridge of gravelly soil, and through woods for the first 24 chains, to lock No. 50; the line then runs over sideling ground, good excavation for the next 48 chains, to lock No. 51; the last 8 chains pass a rough point of limestone rock, requiring embankment and wall, the bed of the river is 9 feet below.

Excavation,	23,934 cubic yards, at 12½ cts.	\$2,991 73
Embankment,	9,392 do 18	1,698 56
Wall,	960 do 60	576
Grubbing,		250

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\$ 5,508 91

**MILE 112.** Passes over bottom land along the foot of a steep hill, 24 chains, to lock No. 52, at the beginning of a rocky bluff, which continues 38 chains, requiring embankment in the bed of the river, six feet below; the line then passes near Spong's forge; the remainder is bottom land to the end of the mile. The stream on which stands Spong's furnace and saw mill will fall into the canal; a culvert must be made for the outlet race from the forge; the waste water from the forge dam will fall into the canal.

Excavation,	16,086 cubic yards, at 12 cents,	\$1,930 32
Embankment,	31,198 do 19	5,927 62
Wall,	3,960 do 70	2,772
Culvert,		450

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\$11,079 94

**MILE 113.** Passes over gravel and sandy loam, 13 chains, to lock No. 53; the line then crosses the head race of the forge, which is 1.44 below, 50 links wide; after which it runs on a flat two chains wide—good excavation; 19 chains to lock No. 54, at the beginning of a short point of limestone, that will require an embankment in the bed of the river, and wall about 8 chains; the remainder of the mile is good excavation.

Excavation,	24,567 cubic yards, at 13 cents,	3,193 71
Embankment,	5,688 do.	1,023 84
Wall,	647 do.	401 14

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**\$4,618 69**

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**MILE 114.** Is good for a canal the first 32 chains, to lock No. 55; the line then passes along the foot of a high rocky hill, in the bed of the river, 9 feet below, 36 chains; some projecting points of rock will require cutting off; the earth for embankment must be taken from the opposite side of the river; the remainder of this mile is good excavation.

Excavation,	14,608 cubic yards, at 12 cents,	1,752 96
Embankment,	42,840 do. 19	8,139 60
Wall,	3,274 do. 60	1,964 40
Rock,	934 70 do.	653 80

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**\$12,510 76**

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**MILE 115.** Passes over good ground about 32 chains; some extra cutting on the bank of the river near lock No. 56; then passes over sideling ground, good excavation; 32 chains to lock No. 57; the remainder of the mile will be embankment in the bed of the river, along a very rough rocky bluff; two bridges.

Excavation,	24,512 cubic yards, at 12 cents,	2,941 44
Embankment,	22,864 do. 18	4,115 52
Wall,	1,920 do. 62	1,190 40

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**\$ 8,247 36**

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**MILE 116.** Is nearly all embankment at the foot of a high hill of limestone, and passes Smoker's forge dam, the surface of which is about level with the bottom of the canal; lock No. 58 on a small piece of bottom; the line soon runs into embankment, and continues until within a short distance of the end of the mile, then a few chains of good excavation; there will be some difficulty in obtaining earth for embankment along the line; stone can be easily obtained.

Excavation,	7,968 cubic yards, at 12½	996
Embankment,	43,682 do. 21	9,173 22
Wall,	5,645 do. 60	3,387
Grubbing,		109

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**\$13,656 22**



**MILE 117.** Passes over sandy loam soil, easy to excavate for the first 24 chains, to lock No. 59; then commences a high rocky hill, requiring an embankment along in the bed of the river, average 6.64 feet below, 48 chains; then a narrow flat of stony excavation to the end of the mile; some points of rock must be excavated.

Excavation,	11,848 cubic yards, at 13 cents,	1,540 24
Embankment,	50,880 do. 20 do.	10,176
Wall,	5,560 do. 60 do.	3,336
Grubbing and rock excavation,		475
		<hr/>
		\$15,527 24

**MILE 118.** Begins at lock No. 60; the first twelve chains will be embankment, and wall along a limestone ledge in the river; the line then passes over gravelly loam for the remainder of the mile; 18 chains through woods.

Excavation,	22,576 cubic yards, at 12½ cents,	2,822
Embankment,	12,843 do. 17 do.	2,183 31
Wall,	1,440 do. 60 do.	864
Grubbing,		120
		<hr/>
		\$5,989 31

**MILE 119.** Commences at lock No. 61, and passes over very good ground about 16 chains; then crosses the road to Williamsburg, at the bridge, and passes along a rocky bank in the river, 6.29 below; the embankment must be walled 16 chains; the line then passes over bottom land 21 chains, to lock No. 62, the remainder of the mile passes along a high rocky hill in the river, 10.87 below.

Excavation,	12,284 cubic yards, at 10 cents,	1,228 40
Embankment,	54,761 do. 18	9,856 98
Wall,	4,312 do. 62	2,673 44
		<hr/>
		\$13,758 82

**MILE 120.** The first twenty chains is a continuation of the rocky bluff and embankment. The next fifty two chains passes over good land, generally gravelly loam, to lock No. 63. The remaining eight chains will be embankment, eight feet below, along a high bank of limestone. A road bridge will be necessary; also some rock cutting.

Excavation,	17,264 cubic yards, at 12½ cents,	2,158
Embankment,	35,792 do. 18	6,474 96
Wall,	3,360 do. 62	2,083 20
Rock,	386 do. 70	270 20
		<hr/>
		\$10,886 36

**MILE 121.** The first eight chains will be embankment; the next thirty-two chains is good excavation, with some extra cutting along the bank of the river, to lock No. 64; the residue of the mile passes through woods; is considerably undulating, and difficult to excavate, being very stony.

Excavation	27,576 cubic yards, at 13 cents,	\$3,584 88
Embankment	11,392 do. 18	2,050 56
Wall,	985 do. 62	610 70
		<hr/> \$6,246 14 <hr/>

**MILE 122.** Passes twelve chains, over a narrow flat of gravel and stone; then ten chains of embankment in the bed of the river, seven feet below, under a high slate hill; a road, running along the foot, must be raised. The next fifty-two chains passes over a narrow flat, gravelly soil; includes lock No. 65; then embankment to the end of the mile, 9 feet below.

Excavation,	21,869 cubic yards at 12½ cents,	2,733 62
Embankment,	17,740 do. 18	3,193 20
Wall,	1,536 do. 70	1,075 20
		<hr/> 7,002 02 <hr/>

**MILE 123.** Is a continuation of the embankment, for the first sixteen chains, in the bed of the river. The road will require raising; the ground is then tolerably good, for thirty-two chains, across a flat; some extra cutting; the line then passes a bluff, and will require the road to be moved; and an embankment, about eight chains, in the bed of the river; some rock must be excavated. From the bluff; the ground, to the end of the mile, is good.

Excavation,	12,572 cubic yards, at 12 cents,	2,228 64
Embankment,	29,535 do. 18	5,316 30
Wall,	2,160 70	1,512
Road,	8 chains	150 00
Rock,	587 yards, at 75	440 25
		<hr/> \$ 9,647 19 <hr/>

**MILE 124.** Passes over bottom land, twenty-four chains, to lock No. 66; seven chains more of good excavation; then falls off suddenly to the bed of the river, at a very short bend; and continues a short distance in the bed of the river; then crosses a low flat, covered with heavy timber, 3.68 too low; then runs in the river again, along the foot of a slate rock bank, and crosses the tail-race of a saw-mill, and also Canoe creek valley, the stream is six feet below; the last 49 chains will be embankment.

Excavation,	11,873 cubic yards, at 12 cents,	1,424 76
Embankment,	40,219 do. 17	6,838 93
Wall,	2,433 do. 75	1,824 75
Grubbing,		400
Aqueduct and culvert,		1,586
		<hr/> 12,074 44

**MILE 125.** Will require embankment in the river at two places, and a wall; a short piece of bottom land between—a little too low. The latter part of the mile passes through a swamp—considerable grubbing will be necessary on this mile.

Excavation,	13,320 cubic yards, at 10 cents,	1,152
Embankment,	31,634 do. 18	5,694 12
Wall,	1,836 75	1,377
Grubbing,		600
		<hr/> \$ 8,853 12

**MILE 126.** The first part is a continuation of the swamp to near lock No. 67; after which, the ground, for some distance, is gravel and clay; then descends again to another swamp, covered with timber, and a little too low; and crosses the points of two elevations, formed by the washings from the hill—excavation generally good.

Excavation,	22,343 cubic yards, at 12 cents,	2,681 16
Embankment,	3,200 do. 16	512
Grubbing,		735
		<hr/> \$ 3,918 16

**MILE 127.** Passes over gravelly and sandy loam, 16 chains through woods to lock No. 68; about the middle of this mile, 6 chains of embankment will be necessary at the west end, across a low flat; one bridge will be necessary.

Excavation,	24,568 cubic yards at 12 cts.	2,948 16
Embankment,	3,720 do. 16	595 20
Grubbing,		175
		<hr/> 3,718 36

**MILE 128.** Has a little embankment at the beginning, after which it passes along the foot of a gentle slope on an extensive flat, 32 chains lies through woods. Lock No. 69, near the end. One bridge will be required—soil gravelly, loam, and clay.

Excavation	23,212 cubic yards, at 1 ½ cents,	2,669 38
Embankment,	4,715 do. 16	754 40
Grubbing,		320
		<hr/> \$ 3,743 78

**MILE 129.** Passes over ground similar to the last mile, and crosses the points of two elevations, requiring some extra cutting, which cannot be avoided, except by a very circuitous route—two farm bridges will be necessary.

Excavation, 26,653 cubic yards, at 11½ cents,	3,065 09
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**MILE 130.** Commences at lock No. 70, and runs 4 chains over gravelly soil to the bank of the river, then an embankment becomes necessary in the bed of the river 7 feet below; along the foot of a perpendicular bank of slate-rock about 20 chains, then runs eight chains across a narrow flat, about level with the bottom of the canal, then another short point, requiring embankment, after which the ground is very favorable.

Excavation,	15,738 cubic yards at 12 cts.	1,888 56
Embankment,	28,643 do. 17	4,869 31
Wall	2,236 do. 75	1,677
Grubbing,		215

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88,649 87

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**MILE 131.** Begins by embanking past a rocky point and passes along in the bed of the river, 3 feet below, 20 chains which passes the village of Frankstown and crosses a little run that is two feet below, then passes over clayey loam soil, 12 chains to lock No. 71, then passes along parallel with the turnpike, for a short distance, then at the foot of a steep hill and swampy ground a little too low, which will require some embankment; two bridges will be necessary, and considerable grubbing.

Excavation,	17,264 cubic yards, at 12 cents,	2,071 68
Embankment,	16,586 do. at 16 do.	2,653 76
Wall,	1,622 cubic yards, at 62 cents,	1,005 64
Grubbing		220 00

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85,951 08

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**MILE 132.** The first 24 chains is good for a canal to lock No. 72. The line then crosses the Beaver Dam branch of the Juniata, the bed of which is 6.21 below, and must be passed with an aqueduct, some embankment will be required at the river, the remainder is good ground soil, clay loam; this mile ends in the basin proposed for the western termination of the Juniata section—Three bridges will be required.

Excavation,	21,187 cubic yards at 12 cts.	2,541 84
Embankment,	18,220 do. 16	1,955 20
Excavation of basin,	16,778 cubic yards at 12 cts.	2,113 36
Aqueduct,		2,525 00

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9,135 40

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Feeder 51 chains from Beaver Dam branch, including dam, guard gates, &c. 1,548 00

Total amount of excavation, embankment, wall, &c.	928,341 05
74 Locks, wood and rough stone, at 1500 dolls. each,	105,000
88 miles of fence, at 480 dolls. per mile,	42,240
80 Bridges, at 250 dollars each,	20,000
Feeders,	51,548

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1,147,129 05

Add for contingencies ten per cent.

114,712 0

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1,261,841 95

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If stone locks should be adopted, the total amount for constructing 132 miles of canal, with 594 feet of lockage, will amount to 1,800,507 dollars and 57 cents.

All which is respectfully submitted,

CANVASS WHITE, Engineer.

January 30th, 1827.

### No. 7.—*Juniata Route.*

## Report on the Juniata Route by George T. Olmstead, Esq.

*To the Pennsylvania Canal Commissioners.*

GENTLEMEN—

The exploration of a canal and railway, to form a communication between the Susquehanna and Allegheny rivers, was continued from the head of the Juniata canal. Not having sufficient time, no regard was paid to a particular location of the railway; the general route only could be attended to, and reserve sufficient time to locate the canal line down the Conemangh and Kiskeminetas.

Agreeably to the directions of William Strickland, Esq. I continued the exploration for the railway to the confluence of Stony creek, at Johnstown, where the basin, for the termination of the western division of the canal, was located. The distance, elevation and depression over the mountain, are as follows:

From the Juniata basin, to the mouth of Poplar run, 3 miles. Elevation, 83.69 feet.

To Dobbins' farm, 11 miles 51 chains. Elevation, 1,311.88

To the summit of the Allegheny mountain, at Bob's creek gap, 13 miles 72 chains. Elevation, 1,391.39

From Bob's creek gap, to the confluence of the south branch of Conemaugh, 14½ miles. Depression, 1,050.33 feet.

From south branch, to Johnstown, 13 miles. Depression, 897.67

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1,348.00

Making the whole distance 41 miles 32 chains, and the total ascent and descent, to be overcome by railway, 2939.39 feet. The banks of the Conemaugh river, from the junction of the south branch to Johnstown, are high and very precipitous, and bluffs of rocks alternately on either side. It also has a very rapid descent of more than twenty-three feet to the mile. By the plan now proposed, the portage will be thirteen miles longer than was originally contemplated; and with the accession of stony creek, there can be no doubt of a permanent supply of water. Perhaps, on further investigation, the portage may be made shorter. Considerable time must be spent on the ground to investigate the subject properly.

The examination down the Conemaugh and Kiskeminetas, has been confined exclusively to the north bank of the river, and is comparatively the best, particularly when taking into view the advantage of a southern exposure.

The line has been located with a strict adherence to a canal navigation, and no insurmountable obstacles have been found to prevent such location, notwithstanding improvements, by slack water navigation, would perhaps be advisable in some places. It has been suggested, that an improvement of the river, passing through the Laurel hill and Chesnut ridge, would be the cheapest or best mode to pursue. There would be no serious objection to a slack-water navigation past Laurel hill; the river has a descent of about thirty-two feet in five miles, and could be overcome with two dams; while the Chesnut ridge has a descent of sixty-four feet in the same distance, and would be more expensive than a canal.

The stone necessary for the construction of locks, can be found principally in the vicinity of the canal. In some places, however, there will be a difficulty in obtaining stone of good quality. The stone required for aqueducts, culverts bridges, &c. can be obtained at almost any point along the river.

MILE 1. Commences with the basin at Johnstown, beginning at a bench on a hickory tree, near Levergood's mill dam. The first sixteen chains will include the basin, at the western extremity of which it is proposed to construct a dam across the Conemaugh, of

170 feet in length, and 10 feet in height, connected with a guard lock on the north side; the whole on a rock foundation. The dam will raise the water to the present level of Levergood's pond. The basin will include about six acres. The next five chains will require embanking along the north side of the river, to the head of an old forge race. The canal will there follow the race eleven chains, which will only require a little clearing out, being of sufficient size. The remainder of the mile passes along the foot of a hill, across bottom land, some distance from the river, and ends in woods. The last four chains will require grubbing.

A feeder of one mile and a quarter, extending from the basin to a point up Stony creek, can be brought in by raising a dam two feet. The first twenty-four chains from the basin, will run across the bottom land above Johnstown, at an average cutting of 9 feet. It then meets the creek, and continues along under the bank, which is too high to admit of cutting the whole width of the feeder. On the flat the soil is sandy loam.—Expense for

Excavation, 30,160 cubic yards in basin, at 13 cts.		\$,920 80
do. 22,100	do. canal, 8	1,408
do. 27,840	do. feeder, 12	3,340 80
Embankment, 5,440	do. 15	816
Wall, 420	do. 60	252
Dam and guard lock,		2,840
Grubbing,		150
		<hr/>
		\$ 13,127 60

MILE 2. Begins in woods, and runs eight chains to lock No. 1, at the side of the road. The bridge must be made above the lock, and the road altered. The line then occupies the road 8 chains to Hansin's run, for which a culvert will be required, and some embankment, on each side of the run. The canal will then pass along under a steep gravel bank twenty-four chains, to lock No. 2, in the road. For the last twenty-four chains the road runs on the top of the bank, fourteen feet above. The bank can be cut off to form the tow-path, which will require walling. The next twenty-four chains runs in the road, along the foot of a steep hill, in woods. A new road will be required above the canal. The remaining sixteen chains is through cleared fields, on bottom land.

Excavation, 43,910 cubic yards, at 8 cents,		3,512 80
Embankment, 9,360	do. 15	1,404
Wall, 1,434	do. 65	932 10
Grubbing,		465
Large culvert,		750
Making road,		240
		<hr/>
		\$ 7,303 90

**MILE 3.** The first 16 chains pass over bottom land, good excavation to the bank of the river; it then continues along the foot of the bank 24 chains to Zehel's farm house—the soil is sandy loam, 18 feet above; a wall will be necessary to protect the banks on the outside. The line then continues on the flat, regular depth of excavation to the end of the mile. From the farm house to the end of the mile, the road should be made along the upper side of the canal, and save the expense of two bridges; two culverts will be required.

Excavation, 38,406 cubic yards at 8 cents,	3,072 48
Wall, 1,920 cubic yards at 75 cents,	1,440
Grubbing,	100
Two culverts,	625
	<hr/>
	\$5,237 48

**MILE 4.** Commences on a flat near the river, and runs in rear of Brollier's house, 10 chains, to lock No. 8, the line then passes along the point of a sand stone rock, requiring embankment in the river for eleven chains, nine feet below; then runs on a flat, in woods, to Laurel run, which will require an aqueduct. A bridge will be necessary for the Laurel hill road; the line continues on the flat 19 chains to the beginning of Laurel hill; it then passes along the foot of the hill, over a very rough, rocky piece of ground, 24 chains. Some large detached masses of rock must be blasted. The greater part of the last 24 chains will be embankment, and the earth taken from the flat opposite. The remaining part of the mile runs on a narrow flat in woods, on stony and undulating surface.

Excavation, 18,724 cubic yards at 9 cents,	1,685 16
Embankment, 24,580 cubic yards at 18 cents,	4,424 40
Rock, 856 cubic yards, at 75 cents,	642
Wall, 2,108 cubic yards at 60 cents,	1,264 80
Grubbing,	575
	<hr/>
	\$8,531 56

**MILE 5.** The first 8 chains of this mile passes along the foot of a high bank near the river, to lock No. 4, in the woods, gravelly soil; the next 19 chains runs on a flat of tolerably good excavation, and an undulating surface, to where the hill puts up to the river; the line then continues for the remainder of a mile, under a high hill, alternately perpendicular rock, and high banks of earth; the most of the earth for embanking must be taken from the opposite bank of the river; a slope wall will be required, lock No. 5 on this mile.

Excavation, 35,400 cubic yards, at 9 cents,	3,186
Embankment, 8,810 cubic yards, at 18 cents,	1,585 80
Slope wall, 4060 cubic yards at 62 cents,	2,517 20
Grubbing,	300
	<hr/>
	\$7,589 00



**MILE 6.** Begins at the side of a high bank, and the first twenty-four chains will run partly in the bed of the river; the bank will require walling; earth can be taken from the bank along the line, calculated as excavation. The line there rises on to a narrow flat, and continues 48 chains through woods and good excavation; a rocky bluff then begins; lock No. 6. at the beginning of the bluff; the remaining 8 chains is under a high cliff of sand stone and slate rock.

Excavation, 29,270 cubic yards at 9 cents,	\$,534 30
Embankment, 17,344 cubic yards at 19 cents,	3,295 86
Wall, 3,112 cubic yards at 50 cents,	1,556
Grubbing,	528
	<hr/>
	8,913 66

**MILE 7.** The first 4 chains is a continuation of the rocky bluff; a high flat then begins and continues 16 chains, good excavation, and another bluff begins; occasional points of perpendicular rock throughout the remainder of the mile; the principal part of the earth for embanking along the last bluff, must be procured on the opposite side of the river; stone for the wall conveniently situated along the bank; lock No. 7. near the end of this mile; surface of water in river, 4.37 below after locking.

Excavation, 7,196 cubic yards at 10 cents,	719 60
Embankment, 59,410 cubic yards at 20 cents,	11,882
Wall, 6,094 cubic yards at 50 cents,	3,047
	<hr/>
	15,648 60

**MILE 8.** The whole of this mile passes along under a high hill, some earth may be had along the side hill in places, to form the outside of the bank; there is a high bank of earth opposite will answer for lining. The last 20 chains the bank must be made in water about 12 or 15 feet deep, 12 chains of which passes under the cedar rock, (so called) it is a high cliff of rock projecting into the water; the river at this point 3 chains wide, a narrow flat opposite.

Embankment, 81,940 cubic yards at 20 cents,	16,388
Wall, 8,231 cubic yards at 50 cents,	4,115 50
Rock, 3,366 cubic yards at 50 cents,	1633
	<hr/>
	22,186 50

**MILE 9.** The first 12 chains continue under the hill last mentioned to the entrance of Findlay's run, about the end of Laurel hill; at this point a dam of 9 feet in height, constructed across the river, at the head of an island, would create a slack-water navigation as far back as lock No. 7. near the end of the seventh mile; thereby avoiding a very heavy embankment and wall. The towing path can be made along the side hill.

Findlay's run must run into the canal; the line continues in the bed of the river along a high bank of rocks 16 chains; then rises into a flat and continues 2 chains to lock No. 8. Some detached rock on the surface must be blasted; then good excavation to the end; 58 chains lies through woods.

Excavation,	20,642 cubic yards, at 9 cents,	\$1,857 78
Embankment,	22,453 do. 20	4,490 60
Rock,	1,260 do. 50	630 00
Wall,	2,429 do. 50	1,214 50
Grubbing,		850 00
		<hr/>
		\$ 9,142 88

MILE 10. Is good for a canal until it strikes a steep stony ridge, and runs a short distance along the side of the ridge near the margin of the river, then rises out to a flat of good excavation; 64 chains to lock No. 9; crosses two small brooks, one will require a culvert; fifty chains is through woods.

Excavation,	30,940 cubic yards, at 9 cents,	\$2,784 60
Grubbing,		385
Culvert,		545
		<hr/>
		\$ 3,714 60

MILE 11. The first sixteen chains passes along on a flat of good excavation to a brook five feet below, it then runs across the head race to Rogers' mill, which is 6.74 below, it can be passed with a large culvert, as also the tail race to the grist mill; the line runs between the saw and grist mill; it would perhaps be better to move the grist mill below the canal. A rocky bluff begins at the mill and continues to the end of the mile, requiring embankment in the bed of the river, a fine flat on the opposite side will afford stuff for the embankment; bed of the river at the mill 13.54 below; the road along this bluff will require raising. Lock No. 10 on this mile.

Excavation	6,859 cubic yards at 10 cents	686 90
Embankment,	47,457 do. 20	9,491 40
Wall,	5,260 do. 50	2,630
		<hr/>
		\$12,808 30

MILE 12. Begins on a narrow flat, side of the road and passes along the foot of a low ridge of gravelly loam on the margin of the river, and rises on to a wide flat of good excavation, and runs through a piece of swampy ground; some timber, soil is clay and gravel.

Excavation,	24,168 cubic yards, at 8 cents,	1,933 44
Embankment,	3,400 do. 16	544
Grubbing,		150
		<hr/>
		\$ 2,627 44

**MILE 13.** Passes over good ground for a canal, on a very gentle slope, then crosses a small brook, where some embankment will be required and a culvert, soil is gravelly loam, two farm bridges will be necessary.

Excavation,	24,340 cubic yards, at 12 cents,	1,947 20
Embankment,	4,256 do. 15	635 40
Culvert,		556
		<hr/>
		\$ 3,121 60

**MILE 14.** The whole of this mile is through woods, some deep cutting will be necessary along the margin of the river near the beginning; good excavation.

Excavation,	3,300 cubic yards, at 9 cents.	2,844
Grubbing,		940
		<hr/>
		\$ 3,784

**MILE 15.** Begins in woods and runs on a gentle slope for a short distance, then passes through cultivated fields, over a gently undulating surface, consisting of sandy loam, the line crosses a ravine requiring some embankment, a culvert must be made to drain the low ground above the canal; two bridges will be required.

Excavation,	24,534 cubic yards, at 8 cents,	1,962 72
Embankment,	3,206 do. 15	480 90
Grubbing,		480
Culvert,		550
		<hr/>
		\$ 3,473 62

**MILE 16.** Runs along the bank of the river over good ground 14 chains, then crosses the valley of a small run six feet below, which will require a culvert. Lock No. 14 is located after crossing the run; a rocky bluff begins near the lock; an embankment will be necessary thirty chains in length, 9.50 below, requiring a wall; a flat then begins, on the margin of which the line continues nearly to the end of the mile; some grubbing will be necessary.

Embankment,	49,370 cubic yards, at 20 cents,	9,874
Excavation,	14,620 do. 10	1,462
Wall,	3,646 do. 60	2,187 60
Grubbing,		215
Culvert,		684
		<hr/>
		\$ 14,422 60

**MILE 17.** Is good ground for a canal the whole distance, mostly through woods; one bridge will be required.

Excavation,	26,649 cubic yards, at 8 cents,	2,131 92
Grubbing,		480
		<hr/>
		\$ 2,611 92

**MILE 18.** Passes over good ground for twenty chains to lock No. 15, a short piece of embankment above the lock, then good excavation until a low bluff puts into the river, which must be embanked, then runs through woods on sideling ground, and stony excavation to the end.

Excavation,	16,920 cubic yards, at 8 cents,	1,358 60
Embankment,	23,865 do. 17	4,057 05
Wall,	1,576 do. 60	945 60
Grubbing,		400

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**\$ 6,756 25**

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**MILE 19.** Crosses a ravine at the commencement, requiring some embankment, brook 8.86 below, and will require a culvert. The line then continues on gentle sideling ground, soil, gravelly loam, mostly through woods to lock No. 16, near the end of the mile.

Excavation,	25,510 cubic yards, at 8 cents,	2,045 20
Embankment,	4,093 cubic yards, at 14 cents	573 02
Grubbing,		400 00
Culvert,		320

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**3,336 22**

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**MILE 20.** The first 40 chains passes over very good ground to lock No. 17, at the beginning of a high rocky hill, requiring embankment and wall in the bed of the river, the remainder of the mile 7 feet below. Stone are convenient for the wall, lying along the foot of the hill in detached masses, and sandstone, substrata of slate and coal; some rock must be excavated; some grubbing will be necessary.

Excavation,	15,586 cubic yards at 9 cents,	1,204 74
Embankment,	46,419 do. 20	9,283 80
Wall,	4110 do. 50	2,055 00
Rock,	600 do. 60	360
Grubbing,		175

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**13,078 54**

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**MILE 21.** The first 46 chains is a continuation of the rocky point; the line passes over an undulating stony piece of ground to lock No. 18, and crosses Richards run which is 4.19 below, and can be taken into the canal, then passes along a sand stone ledge to the end of the mile; some rock must be excavated. The whole of this mile lies through woods.

Excavation,	21,620 cubic yards, at 9 cents,	1,946 34
Embankment,	15,300 do. 18	2,754
Rock,	540 do. 60	324
Wall,	1,420 do. 50	700
Grubbing,		6 dolls per chain. 480

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**6,214 34**

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**MILE 22.** The first 40 chains, continues along the foot of a perpendicular ledge of rock through thick laurel bushes, mostly embankment in the bed of the river, considerable difficulty will be found in obtaining good material for embankment. Crosses laurel run 13 feet below, and may be taken in or passed under the canal; the line then crosses the point of a ridge which projects into the river, and will require 4 chains deep cutting, principally sandstone to lock No. 19, then good excavation to the end of the mile; considerable grubbing.

Excavation,	13,935 cubic yards at 9 cents,	1,254 15
Embankment,	62,452 do. 20	12,490 40
Rock,	1,806 do. 75	1,354 50
Wall,	4,580 do. 50	2,290
Grubbing,	5 dolls. per chain,	480
		<hr/> 17,869 05 <hr/>

**MILE 23.** The first 11 chains passes over good ground in woods to the beginning of Chesnut ridge, and to lock, No. 20; the next 13 chains runs along the foot of a rocky hill, then passes over bottom land 24 chains to lock No. 21, the remainder of the mile passes along a rocky hill in the bed of the river, and will require heavy embankment and wall.

Excavation,	7,674 cubic yards, at 10 cents,	767 40
Embankment,	75,610 do. 20	15,102 00
Rock,	592 do. 50	296 00
Wall,	6,188 50	3,094 00
Grubbing,		400 00
		<hr/> 19,659 40 <hr/>

**MILE 24.** Passes for the first 32 chains along the foot of a rocky hill, requiring embankment, in the river and wall, lock No. 22. The remainder passes over stony ground for a short distance, then sandy soil to the end of the mile; considerable grubbing; some rock must be excavated.

Excavation,	16,307 cubic yards at 10 cents,	1,630 70
Embankment,	41,916 do. 20	8,383 20
Wall,	3,804 do. 50	1,902 00
Rock,	980 do. 60	588 00
Grubbing,	5 dolls. per chain,	400
		<hr/> \$12,903 90 <hr/>

**MILE 25.** Commences at lock No. 23, and passes over good ground for a canal about 32 chains; sandy soil to lock No. 24, some heavy oak timber, the remainder of the mile runs along a high hill with large loose rock at the base; embankment in bed of the river 3 feet below.

Excavation	10,679 cubic yards, at 10 cents,	1,067 90
Embankment,	50,833 do 19	9,658 27
Rock,	340 do 50	170
Wall,	4,856 do 50	2,428
Grubbing		475
		<hr/>
		\$13,799 17

**MILE 26.** The first 12 chains is a continuation of embankment and wall; the line then passes over bottom land tolerably good excavation through woods to lock No. 25, then begins another bluff requiring embankment in the river to the end of the mile.

Excavation,	12,360 cubic yards, at 11 cents,	1,359 60
Embankment,	47,945 do. 19 do.	9,109 55
Wall,	5,254 do. 60 do.	3,152 40
Grubbing,		546 00
		<hr/>
		\$14,167 55

**MILE 27.** All but about 12 chains of this mile will require embankment in the river, along a mill pond 4.77 below; water from 2 to 6 feet deep. Lock, No. 26 near the beginning of this mile. The line crosses Tom's creek, which must be passed under the canal; some excavation on the west end of the mile.

Embankment,	81,400 cubic yards, at 20 cents,	16,280 00
Excavation,	4,288 do. 12 do.	513 96
Wall,	7,068 do. 60 do.	4,240 80
Culvert from Tom's creek,		875
		<hr/>
		\$21,909 76

**MILE 28.** Passes for 24 chains over very good ground, to Brown's saw-mill, where a bluff commences; lock No. 27, at the beginning of the bluff; then 30 chains of embankment, 6 feet below, earth for which must be taken in part from the opposite bank. The remainder of the mile passes over bottom land. Some rock; excavation will be necessary; two bridges will be required.

Excavation	16,540 cubic yards, 10 cents,	\$1,654
Embankment,	34,100 do. 20 do.	6,820
Wall,	3,220 do. 60 do.	1,932
Rock,	660 do. 75 do.	495
		<hr/>
		\$10,901

**MILE 29.** The first 32 chains, passes over bottom land to a high bluff, (called Alum bank,) where an embankment 18 feet below will be necessary for about 24 chains; the river makes a short turn at this point, and is quite narrow, and during high water a strong current sets against this shore, when the canal will be much

exposed to ice and drift wood; a good foundation will be found for lock, No. 28; after passing the bend, located in this point. Some projecting points of rock must be cut off; after passing the lock, the embankment will be 9 feet below.

Embankment, 77,540 cubic yards, 20 cents,	15,508
Excavation, 10,637 do. 9 do.	957 33
Rock, 811 do. 75 do.	608 25
Wall, 5,728 do. 60 do.	3,436 80
	<hr/>
	\$20,510 38

MILE 30. A few chains of the beginning of this mile, will require embankment in the river; then passes over bottom land Soil, gravelly loam; a short piece of extra cutting, on the bank of the river, about the middle of the mile, will be necessary. Two bridges will be required.

Excavation, 23,790 cubic yards, at 12½ cents,	2,973 75
Embankment, 10,610 do. 16 do.	1,697 60
Wall, 846 do. 60 do.	507 60
	<hr/>
	5,178 95

MILE 31. The first 15 chains, to lock, No. 29, the ground is a little too low, and will require some embankment; the line then passes over good ground, 48 chains, to lock No. 30, at the beginning of rocky bluff, near Blairsville; which continues to the end of the mile, which terminates a little below the turnpike bridge, the wing walls of which, can be taken down, and the canal pass above the abutment, the road being of sufficient height to admit of a bridge over the canal, without altering its level.

Excavation, 19,263 cubic yards, at 9 cents,	1,733 67
Embankment, 21,350 do, 18 do.	3,843 00
Wall, 1,640 do. 60 do.	984
Rock, 654 do. 70 do.	457 80
Grubbing,	400
	<hr/>
	7,418 47

MILE 32. Commences at Blairsville, and with the exception of two short pieces of narrow bottom land, an embankment in the bed of the river, will be necessary; the whole distance from 6 to 12 feet below.

Embankment, 85,184 cubic yards, at 20 cents,	17,036 80
Excavation, 5,342 do. 10 do.	534 20
Wall, 6,426 do. 60 do.	3,855 60
	<hr/>
	\$ 21,426 60

**MILE 33.** Passes for 24 chains over a narrow piece of bottom land; some small undulations; then a high bluff of rock, requiring an embankment of 24 chains 12 feet below, to lock, No. 31. The line then passes over bottom land, near the river, and good excavation to the end; one road bridge for this mile.

Excavation, 18,676 cubic yards, at 9 cents,	1,680 84
Embankment, 42,190 do. 18	7,594 0
Wall, 2826 do. 60 do.	1,695 60
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	\$10,970 64

**MILE 34.** Passes over very good ground for a canal except a short bluff, requiring about 5 chains embankment in the bed of the river 10 feet below; crosses some small ravines, one of which will require a culvert. Considerable grubbing will be necessary. One farm bridge required.

Excavation, 24,968 cubic yards, at 9 cents,	2,247 12
Embankment, 6,704 do. 16 do.	1,072 64
Wall, 666 do. 60 do.	599 60
Grubbing,	280
Culvert,	746
	<hr/>
	\$ 4,745 36

**MILE 35.** Commences with a piece of deep cutting, and continues about twelve chains over very steep sideling ground; some rock will be met with in the bottom of the excavation; the line continues in the road on a narrow bank to Black Lick creek, which will require an aqueduct of 200 feet surface of water, 18 feet below and two feet deep. Lock No. 32 is located on the north bank of the creek, the ground is there good about sixteen chains, where a bluff begins, requiring embankment in the bed of the river to the end of the mile; two bridges will be necessary.

Excavation, 20,760 cubic yards, at 9 cents,	1,868 40
Embankment, 40,748 do. 19	7,742 12
do. 10,129 do. 13	1,381 77
Wall, 3,411 do. 60	2,046 60
Rock, 1,264 do. 75	948
Aqueduct over Black Lick,	5,475
	<hr/>
	\$17,461 89

**MILE 36.** Is a continuation of embankment in the river, and continues about half a mile; some large loose rock must be removed. Lock No. 33 on a narrow undulating flat which continues about thirty chains, then another bluff of slate and very compact sand stone the remainder of the mile.



Embankment, 92,936 cubic yards, at 20 cents,	18,587 20
Excavation, 7,910 do. 8	632 80
Wall, 6,408 do. 60	3,844 80
Rock, 800 do. 70	560
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	\$23,624 80
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MILE 37. Passes for twenty-four chains along the last mentioned bluff, requiring embankment and wall; the line then crosses the point of a high flat, and about twelve chains of extra cutting will be incurred on the present line, but can be avoided by a more circuitous route; the excavation is, however, good and will serve for embankment; the ground then descends suddenly to a lower flat, across which the ground is good for a canal.

Excavation, 25,800 cubic yards, at 8 cents,	2,068 80
Embankment, 31,440 cubic yards, at 18 cents,	5,659 20
Wall, 2,894 cubic yards, at 62 cents,	1,794 28
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	\$9,522 28
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MILE 38. Crosses a road and a small brook near the beginning; a bridge and culvert will be required; lock No. 34, is located near the brook; the line then passes along a rocky bank in the bed of the river about twenty chains; then passes over a narrow flat and crosses Altman's run, which is 10.70 below, and must be passed with an aqueduct; the line then passes along another bluff which extends to the end of the mile.

Excavation, 9,418 cubic yards, at 8 cents,	753 44
Embankment, 61,810 cubic yards at 19 cents,	11,743 90
Wall, 5,600 cubic yards, at 60 cents,	3,360 00
Culvert,	475 00
Aqueduct,	1,565 00
	<hr/>
	\$17,927 34
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MILE 39. Will require a heavy embankment along the base of a very high and rocky hill throughout, from 12 to 16 feet below.

Embankment, 156,060 cubic yards, at 20 cents,	\$1,212
Wall, 11,243 do. 50	5,621 50
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	\$ 36,833 50
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MILE 40. The principal part of this mile passes along gentle sideling ground; some distance through woods, over an undulating surface; good excavation.

Excavation of 25,290 cubic yards, at 8 cents,		2,023 20
Embankment, 4,357	do. 16	697 12
Wall, 540	do. 50	270
Grubbing,		400

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\$3,390 32

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**MILE 41.** Passes over very good ground for a canal; a short piece of extra cutting will be necessary near the middle of the mile, which cannot be avoided; a culvert will be required to pass a small brook. The greater part of this mile is through woods. Lock No. 35 on this mile; some embankment requisite near the lower end, and some rock excavation.

Excavation, 24,098 cubic yards, at 9 cents,		2,168 82
Embankment, 5,244	do. 16	839 04
Rock, 1,216	do. 75	912
Grubbing,		400
Culvert,		540

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\$ 4,859 86

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**MILE 42.** Passes over stony undulating ground on a narrow bank for the first half, to lock No. 36, then runs at the foot of a high hill of slate, sand stone and bituminous coal, requiring embankment and wall in the bed of the river.

Excavation, 14,369 cubic yards, at 12 cents,		1,724 28
Embankment, 58,420	do. 19	11,699 80
Wall, 4,874	do. 60	2,924 40
Grubbing,		480

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\$ 16,228 48

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**MILE 43.** Passes along the side of a very rocky and narrow flat, too high for the canal, but will afford some earth for embankment, for about half the distance; then runs on gently sideling ground, and crosses a point of loose rock and continues along the side of a steep gravelly ridge to the end of the mile; some grubbing required.

Excavation, 15,450 cubic yards, at 9 cents,		1,390 50
Embankment, 72,300	do. 18	13,014
Wall, 5,142	do. 50	2,571
Rock, 1,890	do. 75	1,417 50
Grubbing,		250

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\$ 18,643

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**MILE 44.** Passes along the side of a steep gravelly ridge near the river, about half a mile tolerably good excavation, then runs on a gentle slope of good excavation to the end.

Excavation,	26,694 cubic yards, at 9 cents,	2,402 46
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MILE 45. Passes over good ground for a canal about 34 chains, and through woods, the line crosses a ravine and brook 10.00 below; will require some embankment, and a culvert; crosses a public road lock; No. 37 near the west end of the mile.

Excavation,	23,706 cubic yards, at 8 cents,	1,896 48
Embankment,	5,485, do. 14	818 30
Culvert,		875
Grubbing,		340

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3,929 78

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MILE 46. Runs over sideling ground and crosses a ravine requiring embankment and a culvert, then continues at the foot of a steep hill on a flat which is a little too low to lock No. 38, the line then passes a brook and over good ground to the end of the mile.

Excavation,	24,940 cubic yards, at 9 cents,	2,246 60
Embankment,	3,087 do. 14	432 18
Two culverts,		1,230
Grubbing,		120

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4,028 78

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MILE 47. The first 15 chains passes over good ground; an embankment of three chains will be requisite, the next 36 chains will be heavy embankment along a rocky bank in the bed of the river, fourteen feet below; some rock must be excavated, the remainder is favorable.

Excavation,	15,900 cubic yards, at 10 cents,	1,590
Embankment,	63,840 do. 18	11,491 20
Wall,	4,427 do. 50	2,213 50
Rock,	682 do. 60	409 20
Culvert,		375

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16,078 90

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MILE 48. Runs along a gentle slope near the margin of the river to lock No. 39, then continues in the road and crosses a ravine 4 chains wide, 3 feet below; a little extra cutting after crossing the ravine; soil gravelly loam and small stone.

Excavation,	31,200 cubic yards, at 8 cents,	2,496
Embankment,	2,130 do. 14	298 20
Culvert,		536

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3,330 20

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Dr. William Darlington, John Sergeant, David Scott, Thomas Enoch, John Phillips, Charles Mowry, Abner Lacock, Daniel Montgomery and George M. Dallas, Canal Commissioners, in account with the Commonwealth, for exploring routes.

DR. To balance on settlement, 13th April, 1826,  
1826, April. To cash on Governor's warrant,  
Oct. To do.  
Dec. To do.

NORTHERN ROUTE SURVEY.

CR.

By James Geddes, engineer, 527 days services, at \$8 25,  
Travelling expenses, and stage fare,

By William Wilson. principal assistant, 309 days services, \$3 per day,  
Travelling expenses, and stage fare,

By Joseph J. Wallis, assistant, 187 days services, at \$2  
Henry Aphin, 1 month 26 days services,  
Henry Reiley, do.  
William M'Clintock, for services,  
James Iddings, for do.  
Ebenezer Stephens, 2 months 23 days services,  
John Hughes, 6 months 14 days, do.  
John Sloan, 5 months 8 days, do.  
John H. Murphy, 6 months 19 days do.  
A. Woodward, 51 days do.

Incidental expenses of engineer, assistant engineers, hands, &c. &c.

	424 07	
	10,000 00	
	5,000 00	
	3,000 00	
	<u>18,424 07</u>	
		5,562 57
2,937 54		
986 91		
374		
22 80		
22 80		
19		
58 22		
37 61½		
83 68		
63 70		
80 77		
23 54		
849 99½		

**MILE 53.** Passes over undulating ground, soil gravelly loam, crosses three ravines, two of which will require culverts and some embankment; some grubbing necessary.

Excavation, 25,274 cubic yards, at 8 cents,	\$ 2,021 92
Embankment 5,810 do. 14	468 40
2 Culverts,	975 00
Grubbing	2 0 00
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	\$ 3,680 82

**MILE 54.** The first 24 chains is good for a canal, to lock No. 42; then an embankment mostly in the bed of the river, along the foot of a high rocky hill the remainder of the mile; river ten feet below.

Excavation, 8,269 cubic yards, at 10 cents,	826 90
Embankment, 59,430 cubic yards, at 20 cents,	11,886 00
Wall, 5,618 cubic yards, at 50	2,809 00
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	\$15,511 90

**MILE 55.** The first 8 chains is a continuation of the bluff; then a narrow flat commences with extra cutting about 32 chains; the remainder of the mile passes along a high rocky hill in the bed of the river 18.75 below. The line passes Rumboch's ferry road, where a bridge will be requisite.

Excavation, 16,462 cubic yards, at 9 cents,	1,481 58
Embankment, 66,643 cubic yards, at 19 cents,	12,662 17
Wall, 5,821 cubic yards, at 50 cents,	2,910 50
	<hr/>
	\$17,054 25

**MILE 56.** Crosses Routing run about 17 chains from the commencement, which will require a culvert of considerable size, 16 feet below. The line then passes over bottom 12 chains; the remainder passes over stony ground between a high rocky hill and the river; some timber.

Excavation, 33,526 cubic yards, at 8 cents,	2,682 08
Rock, 914 do. 75	685 50
Culvert for Routing run,	1,260 00
Grubbing,	350 00
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	\$ 4 957 58

**MILE 57.** Continues along the rocky hill; surface of ground undulating, with some rock excavation. Lock No. 48, near the commencement; the last 22 chains passes along a limestone ledge in the river 12.75 below; salt works on top of bank passed without injury.

Excavation, 24,480 cubic yards, at 8 cents,	1,958 40
Embankment, 26,674 cubic yards, at 18 cents,	4,801 32
Rock, 1,239 do. 75 do.	929 25
Wall, 1,911 do. 50	955 50
	<hr/>
	\$8,644 47

**MILE 58.** Passes for a short distance over very good ground, then follows the road on the side of a steep hill, and passes two salt works, which must be removed, and the road made on the side hill above the canal, the excavation of which will afford material, together with the excavation of canal, to form the bank. A greater portion of the material is porous, and will require lining with good water tight earth. The river along this point is narrow.

Excavation, 27,349 cubic yards, at 9 cents,	2,461 41
Rock, 1,216 do. 75 do.	912 00
64 chains of road,	768 00
	<hr/>
	\$ 4,141 41

**MILE 59.** Passes over ground similar to the last; some places of good excavation; three salt works to be removed; some solid rock must be excavated; the canal will occupy the road the whole of this mile.

Excavation, 30,620 cubic yards, at 9 cents,	2,755 80
Rock, 1,410 do. 75 do.	1,057 50
80 chains road,	960 00
	<hr/>
	4,773 30

**MILE 60.** This mile is gently undulating, and tolerably good excavation. passes four salt works in line of canal, and which must be removed. This mile will occupy the road; some grubbing necessary.

Excavation, 27,264 cubic yards, at 9 cents,	2,453 76
80 chains road,	960 00
Grubbing,	350 00
	<hr/>
	\$ 3,763 76

**MILE 61.** Commences near the head of the Big falls and at 8 chains; crosses Roaring run 10 feet below, lock No. 44 on the bank of the run; the line then passes over undulating ground, occupying the road in some places; some embankment is necessary. By constructing a dam at the head of the Big falls, 16 feet above low water, it would set back to about the middle of the 58th mile, thereby obviate the necessity of removing the salt works along this margin of the river, and secure to the salt works on both sides of the river within that distance, an equal advantage of the navigation.

Excavation, 18,614 cubic yards, at 9 cents,	1,675 26
Embankment, 14,760 do. 16	2,361 60
Aqueduct for Roaring run,	1,280 00
Grubbing, \$6 per chain	480 00
32 chains of road,	320 00
	<hr/>
	\$6,116 86

MILE 62. Passes over uneven ground, for the first 32 chains, to lock, No. 45, and crosses a ledge of rock, 5 feet above, one chain wide; the ground is then good, and crosses a ravine two chains wide, four feet below, requiring a culvert.

Excavation, 23,850 cubic yards, at 9 cents	2,326 50
Embankment, 1,436 cubic yards, at 14 cents,	201 04
Rock, 470 do. 75	352 50
Culvert,	535 00
	<hr/>
	\$ 3,415.04

MILE 63. Is generally favorable for a canal; soil, sandy loam and gravel; some timbered land; the line crosses two ravines, requiring embankment and culverts; passes the village of Warren.

Excavation, 26,696 cubic yards at 9 cents,	2,402 64
Embankment, 1,248 cubic yards at 14 cents,	174 72
Grubbing,	365 00
Two culverts,	975 00
	<hr/>
	\$3,917 36

MILE 64. Passes over very good ground, principally through heavy timbered land, and crosses a ravine about the middle of the mile, 6 chains wide, 5 feet below; then continues along the foot of a steep ridge, to lock No 46—16 chains of embankment in the bed of the river, 15 feet below, after passing the 64th mile to join the feeder, (as now called) or continuation of the canal down the Kiskeminetas.

Excavation, 24,614 cubic yards at 9 cents,	2,215 26
Embankment, 34,960 cubic yards at 18 cents.	6,292 80
Culvert,	850 00
Grubbing,	420 00
	<hr/>
	\$9,838 06

In addition to the above estimate should be added 46 locks of 8 feet lift, each, at \$600 per foot, if constructed of stone, and \$1500 per lock, if wood; also 35 bridges, with stone abutments, and superstructure of wood, 250 dollars each.

## RECAPITULATION.

Total amount of excavation, embankment, &c.	\$654,124 93
568 feet of lockage, at \$60 per foot,	220,800 00
35 bridges, at 250	8,750 00
32 miles of fence, at 480	15,360 00

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\$899,034 93  
89,903 49

Add for contingencies ten per cent,

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\$988,938 42

If the locks are built with wood and rough stone,  
the constructing of 64 miles of canal, with 46  
locks, would amount to

\$836,138 00

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All of which is respectfully submitted,

GEO. T. OLMSTED,

*Assistant Engineer*

January 30, 1827.

## No. 8.

### Extract from the minutes of the board, in relation to the Northern Route survey.

*Philadelphia, September 12, 1826.*

A letter and report from James Geddes, Esq. upon the survey of the northern route, were read.

Resolved. That a committee of three be appointed, to consider the report of Mr Geddes. upon the survey of the northern route.

Messrs. Lacock, Enoch and Mowry, were accordingly appointed.

*Philadelphia, September 13, 1826.*

The committee to whom was referred the report of Mr. Geddes, on the survey of the northern route, reported as follows:

"That the conclusion of Mr. Geddes seems, to them, to be warranted by the facts he has stated; and it may therefore be assumed, as certain, that a navigable communication cannot be effected by the West Branch and Sinnemahoning. There is a summit of considerable length, which cannot be adequately supplied with water.



This point, which was the principal object of inquiry, being thus ascertained, it became a question whether it was necessary, at this time, for Mr. Geddes to pursue the location further, that is, to follow the line of the Clarion river to its junction with the Allegheny river. He represented, that the next forty miles, from the spot where he had stopt, would be through a wilderness, entangled with a heavy growth of laurel and brush, where it would be impossible to transport their provisions by a wagon or by horses, and where they would be obliged to cut a road for themselves, at great expense, through the whole distance; the streams being too low for transportation by water. In this state of things, he asked for further directions, intimating, at the same time, his own opinion, that the work in that quarter had reached its natural termination.

The president, with the concurrence of Dr. Patterson, the only commissioner he could consult, directed Mr. Geddes to desist from that part of the work, until the further order of the board, and, proceeding to the Allegheny river, at Foxburg, to follow the line thence to the neighborhood of the mouth of the Kiskeminitas, so as to unite with the canal below. This forms part of the line from Pittsburg to Lake Erie, and has never yet been examined.

Under the circumstances stated, it appears to the committee, that it is unnecessary, at this time, to incur the expense of labor and money, that would be required for continuing the location along the Clarion river. The existence of an insuperable obstacle to a continued water communication, by that route, is rendered certain by what has been done, and a location to the westward of the impediment, would throw no additional light upon the matter. It may, nevertheless, be satisfactory, at some future time, (during the present season,) when a rise of the waters shall afford facilities, and Mr. Geddes, or other suitable person, can be spared for the purpose, to have the levels taken, and the distance measured down the Clarion river, so as to give a general view of the advantages and disadvantages of that line; and to point out the manner in which the navigation may be best improved. This will be very useful in settling a plan of improvement in that direction.

The committee therefore offer the following resolution:

Resolved, That the directions given to Mr. Geddes, by the president, on the second day of September, instant, be and the same are hereby approved and confirmed, and that Mr. Geddes be informed accordingly.

Resolved, That after finishing the location from Foxburg to the Kiskeminitas, Mr. Geddes be directed to proceed to locate a canal, along the remaining part of the Allegheny river, that is to say, the part which lies between Foxburg and French creek, so as to connect with the work below, observing the general directions in the president's letter of the 2d September.

Resolved, That Mr. Geddes be directed, as soon as may be practicable, after finishing the work on the Allegheny, to proceed to the examination along the Clarion river, from the point where he has stopped taking the levels and distances, and communicating

fully his views as to the best mode of improvement; and if he should find, that he will not be able to proceed to that work, during the present season, that he be directed to inform the board, in order that arrangements may be made for having it executed.

The foregoing report and resolution having been read, were unanimously agreed to.

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No. 9.

**Report on the upper level of the Eastern Division of the Pennsylvania Canal, by William Strickland, James Geddes, N. S. Roberts and Canvass White, Engineers.**

*To the President of the Board of Pennsylvania Canal Commissioners.*

SIR--Agreeably to the resolution of the board of canal commissioners, requesting their engineers to confer, and report their opinions upon the upper level of the eastern division of the canal, and upon the necessity of erecting a dam in the Susquehanna, the undersigned have taken these subjects into consideration, and in consequence of the great depression of the water in the river at the place from whence it is to be taken, are of opinion that this level ought to be raised and continued to a point at the upper reef of Foster's falls, near Clark's ferry, where a dam of three feet in height should be constructed across the Susquehanna, in order to give a proper depth of water for the passage of canal boats; and that an opening should be made through the dam of sufficient width in a right line with the channel, for the passage of the river craft, which opening should be so guarded with a wing wall above and below the dam, as to afford an easy access to, and through the outlet upon a slope of about 6 inches in the 100 feet.

We are of opinion that a dam so constructed would not interfere with, or obstruct, the natural navigation of the river,

WILLIAM STRICKLAND,  
JAMES GEDDES,  
NATHAN S. ROBERTS,  
CANVASS WHITE.

*Harrisburg, February 1, 1827.*

## No. 10.

**Resolution of the board of Canal Commissioners to extend the Eastern Division of the Pennsylvania canal, to a point at the upper reef of Foster's falls, near Clark's ferry, and raise the level thereof; approved by the engineer, and consented to by the governor.**

At a meeting of the canal commissioners of Pennsylvania held in the borough of Harrisburg, on the 3d day of February, 1827, it was

*Resolved*, That the location of the eastern division of the Pennsylvania canal, as fixed by resolution of 19th June last, be altered, by raising the upper level thereof, to the necessary height, and continuing it up the Susquehanna to a point at the upper reef of Foster's, falls, near Clark's ferry; and that application be made to his excellency the governor, to consent to this alteration.

I certify the foregoing to be a true copy from the minutes of the board.

JOS. M'ILVAINE, Sec'ry.

February 3d, 1827.

I approve of the alteration as made by the foregoing resolution,  
WILLIAM STRICKLAND.

February 3d, 1827.

I consent to the extension and alteration of the eastern division of the Pennsylvania canal as determined upon by the foregoing resolution of the board of canal commissioners, and approved of by the engineers.

J. ANDW. SHULZE.

Harrisburg, February 5, 1827.

## No. 11.

**Report of the committee appointed to superintend the subject of releases, on the proposed lines of communication between the eastern and western waters.**

The committee appointed in May last, to employ an agent to procure releases from land holders, on the several contemplated canal routes, beg leave to report:

That in compliance with their appointment, they employed John Steinman, of Harrisburg, for that purpose, at the price of one

dollar and fifty cents a day, he to bear his own expenses. He was furnished with the proper authority and instructions, and commenced his labors on the 20th of May, and closed them on the 20th of November last. He has returned into our hands a fair and full record of his proceedings, with all the releases which he procured, properly executed, which are herewith submitted to the board. His account for services done, is also rendered, which it is desired may be examined and paid.

A. LACOCK,  
C. MOWRY.

December 8, 1826.

*Report of John Steinman, on Releases.*

Releases taken on the Susquehanna, West Branch, Drift-wood branch and the Sinnemahoning, on the east side of the mountain, and on the west side the Clarion river and Toby creek and Allegheny river,	99
French creek and Allegheny river,	21
	<hr/>
	120
Releases taken on the Juniata river, and on the Conemaugh and Kiskeminetas river, and on the mountain,	120
	<hr/>
Total amount,	240

Appointed by the canal commissioners on the twentieth day of May, 1826, and proceeded up the Susquehanna river to the West Branch, and up the same to the Sinnemahoning, and up the same to the Drift-wood branch, and up the same to John Harles; thence up the Allegheny mountain to Job Carr's, near the summit of the mountain, thence down the mountain on the west side, thence down the Clarion river or Toby creek, to the mouth, thence down the Allegheny river to the mouth of the Kiskeminetas, thence up the same to the mouth of the Conemaugh, thence up the same to Thomas Croyle's, thence up the river to the mouth of Benn's creek, thence up the same to the summit of the Allegheny mountain, thence down the mountain to the Beaver Dam branch of the Juniata; thence down the Juniata to the mouth, thence up the Susquehanna river on the east side to Milton; from thence up the Juniata river and down the Conemaugh and Kiskeminetas to the mouth, thence up the Allegheny river and French creek, to the fall in French creek, known by the name of M'Guffin's falls, thence down said French creek to the outlet of Conneaut, thence down French creek to the mouth of the Kiskeminetas; and returned from services rendered the commonwealth, on the twentieth day of November, being one hundred and eighty-three days, at one dollar and fifty cents per day, amounting to

Printing, stationary and other contingent expenses,	18 75
	<hr/>
	293 25

Laid on the table:

On motion of Mr. Knight and Mr. Hunt,  
Ordered, That fifteen hundred copies of the report, and the documents accompanying the same, be printed in the English, and five hundred copies in the German language, for the use of the members of the Senate.

On motion of Mr. Dunlop and Mr. Audenried,  
The following resolution was twice read, considered and adopted:

Resolved, That the Auditor General report to the Senate, as soon as convenient, the amount of stock of the several turn-pike companies of this commonwealth, in which the state holds stock, stating the proportion held by the state and by the individual stockholders, and the amount of the tolls, expenses and debts of each of such companies, agreeably to the latest returns.

A motion was made by Mr. Ogle and Mr. Garber, and read as follows, viz.

Resolved, That a committee be appointed, whose duty it shall be to report their opinion to the Senate, on the expediency of passing a law providing, that when any person or persons, who shall apply to the legislature for a law, to lay out a state road, shall give six weeks notice, before the meeting of the legislature, by publishing the same in all the newspapers in each and every county through which such road is to pass.

Laid on the table.

Bill No. 118, from the House of Representatives, entitled  
"A supplement to the act entitled an act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation,"

Was read the second time, and

Ordered, To be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No. 108, entitled

"A supplement to the act entitled an act for the relief of Samuel Richards and Moses M'Cormick, and to authorise Daniel Beckley and others, to convey a lot of ground."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Hunt and Mr. Allshouse,

Said bill was read the second time, and

Ordered, To be transcribed for the third reading.

Agreeably to order.

The Senate resolved itself into a committee of the whole, Mr. Kitchin in the chair, on bill No. 127, from the House of Representatives, entitled

"An act establishing an academy in the town of Clearfield,"

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Petrikin and Mr. Ogle,  
Said bill was read the second time, and  
Ordered, To be prepared for the third reading.

On motion of Mr. Kitchin and Mr. Ogle,  
The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No. 187, entitled

“An act to incorporate the Union academy, at Doylestown.”

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Hamilton and Mr. Leech,  
Said bill was read the second time, and  
Ordered, To be transcribed for the third reading.

Adjourned until 10 o'clock, to-morrow morning.

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## FRIDAY, February 9, 1827.

Mr. Mann presented the memorial of sundry citizens of Montgomery county; praying for the repeal of the act relating to collateral inheritances, and remonstrating against the construction of the Pennsylvania canal.

A motion was made by Mr. Mann and Mr. Kerlin,  
That the said memorial be referred to a special committee.

On the question,  
Shall the memorial be referred to a special committee,

A motion was made by Messrs. Duncan and Garber,  
That the said memorial be referred to the standing committee,  
on roads, bridges and inland navigation.

On the question,  
Shall the memorial be referred to the committee on roads, bridges, and inland navigation,

A division of the question was called for by Mr. Ogle and Mr. Moore, to end with referring.

On the question,  
Will the senate agree to refer the memorial?

The yeas and nays were required by Mr. Mann and Mr. Ogle,  
and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Kitchin,	
Emlen,		Mann,	
Hambright,		Moore,	
Hamilton,		Ogle,	
Herbert,		Seltzer,	
Hunt,		Sturgeon,	
Kerlin,		Winter,	14.
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Leech,	
Duncan,		Petrikín,	
Garber,		Power,	
Hawkins,		Ray,	
Hay,		Sullivan,	
Kelley,		Mahon, speaker,	13.
Knight,			

So it was determined in the affirmative.

On the question,  
Shall the memorial be referred to the committee on roads, bridges and inland navigation?

The yeas and nays were required by Mr. Duncan and Mr. Garber, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Knight,	
Duncan,		Leech,	
Garber,		Petrikín,	
Hamilton,		Power,	
Hawkins,		Ray,	
Hay,		Sullivan,	13
Kelley,			
NAYS.		NAYS.	
Messrs. Audenried,		Messrs. Mann,	
Emlen,		Moore,	
Hambright,		Ogle,	
Herbert,		Seltzer,	
Hunt,		Sturgeon,	
Kerlin,		Winter,	
Kitchin,		Mahon, speaker,	14.

So it was determined in the negative.

A motion was then made by Messrs. Duncan and Garber,  
That the memorial be referred to the standing committee on the  
judiciary system.

Which was not agreed to.

Mr. Duncan and Mr. Garber then named the standing committee on claims.

Which was not agreed to.

On the question.

Will the Senate agree to refer the memorial to a special committee?

The yeas and nays were required by Mr. Duncan and Mr. Garber, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Emlen, Hambright, Hamilton, Herbert, Hunt, Kerlin,	Messrs. Kitchin, Mann, Moore, Ogle, Seltzer, Sturgeon, Winter, 14.
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Garber, Hawkins, Hay, Kelley, Knight,	Messrs. Leech, Petrikin, Power, Ray, Sullivan, Mahon, speaker. 19.

So it was determined in the affirmative.

Ordered, That Messrs. Mann, Ogle, Kelley, Hay and Hambright be the committee.

On motion of Mr. Kerlin and Mr. Sturgeon,

The petition presented yesterday, from sundry citizens of Delaware county, praying for the repeal of the act relating to collateral inheritances,

Was referred to the committee just appointed.

Mr. Winter presented the petition of sundry citizens of the counties of Lehigh and Northampton, praying for the laying out a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county.

Mr. Garber presented two remonstrances of similar tenor, from sundry citizens of Mifflin county, against the division of said county.

Said petition and remonstrances were laid on the table.

Mr. Petrikin from the committee on the subject, on leave given reported bill No. 140, entitled

"An act to annul the marriage contract of Patrick M'Donald and Catharine his wife."

Said bill was read the first time.

Mr. Mann from the committee on claims, to whom were referred the petition and documents of Robert Peeling, reported:



That they have carefully examined the petition and documents of Robert Peeling, a revolutionary soldier, and are of opinion that the prayer of the petitioner ought not to be granted; that in making this report, your committee consider it would be unnecessary to recite the services of the petitioner; inasmuch as his name appears on the United States' pension list, as drawing a pension from the general government, which fact has always been considered sufficient ground to reject the claim; they therefore offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Sturgeon,

The resolution attached to the above report was read the second time, considered and adopted.

The clerk of the House of Representatives being introduced, informed that the House of Representatives have adopted the resolution from the Senate, entitled

No. 104, "Resolution for the further distribution of the pamphlet laws of this commonwealth,"

With amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

On motion of Mr. Mann and Mr. Hunt, said amendments were read the second time; and

On motion, were committed to Messrs. Petrikin, Kitchin, Kerlin, Hawkins and Herbert.

The clerk also informed that the House of Representatives have concurred in the amendments by the Senate to the first section, and non-concurred in the other amendments to the bill from the House of Representatives, entitled

No. 116, "An act to improve a certain public road in Union and Centre counties, commonly called the Brush Valley Narrows, and to improve the road leading from Bedford to Armagh."

On motion of Mr. Ogle and Mr. Petrikin,

The Senate receded from the amendments non-concurred in by the House of Representatives, to said bill.

Ordered, That the clerk inform the House of Representatives accordingly.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 103. "A supplement to the act entitled, An act for the relief of Samuel Richards and Moses M'Cormick, and to authorise Daniel Beckley and others to convey a lot of ground.

No. 187. "An act to incorporate the Union academy at Doylestown."

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

Bills from the House of Representatives, numbered and entitled as follow, were severally read the third time and passed.

No. 118. "A supplement to the act entitled, An act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation.

No. 127. "An act establishing an academy in the town of Clearfield."

Ordered, That the clerk return said bill's to the House of Representatives, with information that the Senate have passed the same without amendment.

A motion was made by Mr. Knight and Mr. Hawkins and read as follows, viz.

Resolved, That the committee on roads, bridges and inland navigation be directed to inquire into the expediency of authorising the board of canal commissioners to cause to be surveyed and levelled the river Monongahela, by a skilful and practical engineer, in order to determine the best mode of making a good navigation on that river, at the low stages of water, and at the same time securing to the country the benefit of the water power for machinery.

Laid on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 114, entitled

"A further supplement to the act entitled, An act for holding special courts of common pleas."

After some time,

The committee rose and the chairman reported the bill without amendment.

On motion of Mr. Hawkins and Mr. Garber,

Said bill was read the second time; and

On motion of Messrs. Garber and Petrikin,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with,

Said bill was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Adjourned until 10 o'clock, to-morrow morning.

**SATURDAY, February 10, 1827.**

Mr. Kitchin presented the petition of sundry citizens of Bucks county, praying for the repeal of the act relating to collateral inheritances.

Which was referred to the committee who have that subject under consideration.

Mr. Garber presented the remonstrance of sundry citizens of Mifflin county, against the division of said county.

Said remonstrance was laid on the table.

Mr. Knight presented the memorial of sundry citizens of Washington county, praying the legislature to inquire into the propriety of recommending to the other states of the union, to exert themselves in obtaining the abolition of slavery.

Which was referred to the committee who have the subject under consideration.

Mr. Kelley presented the petition of sundry citizens of the borough of Indiana, in Indiana county, praying for the extension of the boundary lines of said borough, and that it be erected into a separate election district.

Which was referred to Messrs. Kelley, Garber and Kerlin.

Mr. Kelley presented the petition and documents of Thomas Laughlin and Thomas Wilkins, of Indiana county, praying for authority to sell and convey certain real estate therein mentioned.

Which were referred to Messrs. Kelley, Audenried and Ryon.

Mr. Kelley presented the petition of sundry citizens of Indiana county, praying for a review of the state road lying between the borough of Indiana and Port Johnston.

Which was referred to the committee on roads, bridges and inland navigation.

The speaker laid before the Senate, a report, accompanied with documents, from the commissioners for the erection of a state penitentiary, in the city and county of Philadelphia, which were read as follows:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

The commissioners for the erection of a state penitentiary in the city and county of Philadelphia, report:

That with the appropriation granted at the last session of the

legislature, they commenced the work on the eighteenth day of April, one thousand eight hundred and twenty-six.

Without funds, or authority to make contracts on the faith of the state, until the passage and receipt of the act which bears date on the fifteenth day of March last, they could not adopt such preparatory measures, during the winter and early part of the spring as would have facilitated the progress of the building, and enabled them to procure materials on the most economical terms.

The annexed statements, furnished by the architect and superintendant, will exhibit the amount and kinds of work performed during the season, which closed on the 22d day of December last; also what remains to be done to complete such parts of the penitentiary as have been authorised to be built, together with an account of materials, &c. remaining on hand, all of which have been paid for.

Of the appropriation of eighty-nine thousand one hundred and twenty-four dollars and nine cents, sixty thousand have been received, leaving a balance of twenty nine thousand one hundred and twenty-four dollars and nine cents, applicable to that portion of the structure designed to be finished, which there is reason to believe, should the funds prove sufficient, will not require more than another season to accomplish.

The commissioners would call the attention of the legislature to the subject of providing by law for the settlement of a charge of one thousand dollars, part of the first draft of twenty thousand dollars, issued in December, 1821, nineteen thousand of which only was put at the disposal of the commissioners, owing to the alleged loss of the difference by Peter Mierchin, to whom it was sent, as president of the board, and who is deceased, a full account of which transaction was, at the time, communicated to the governor, and by him transmitted to the Senate and House of Representatives.

They would further represent, that the auditor general has not felt himself authorised to allow, in the settlement of the accounts of the commissioners, some small sums expended for carriage hire, &c. which they conceive ought not to be objected against, when it is remembered, that in the performance of an arduous duty, without any pecuniary recompense, they are required regularly to visit and inspect the works, at a season of the year so oppressive, as to render it unsafe and unreasonable to expect they would walk to the site of the penitentiary, several miles distant from their places of residence in the city. The commissioners confidently trust, that the legislature will provide for the allowance of the charges alluded to, and instruct the accounting department accordingly, for its future government in similar cases.

All which is respectfully submitted.

THOS. SPARKS,  
*President B. C.*

CALEB CANNALT,  
*Secretary P. S.*

*To the Commissioners of the New Penitentiary.*

**GENTLEMEN:**

In compliance with a resolution of your board, we have calculated the several kinds of work that has been done at the new penitentiary, during the past season, and respectfully report as follows.

*Digging and Carting.*

10,970 yards, digging the formation of the reservoir, walls for privies, foundations for walls, culverts, levelling of yards, cells, covered ways, passages and other works.

*Common Masonry.*

10,039 Perches masonry, in the erection of seventy-six cells, with their exercising yards and passages, three covered ways, 150 feet long, an octagon observatory, watch house and reservoir 35 feet high and 138 feet in circumference. The yard walls of the infirmary and keepers yards, 200 feet long by 20 feet high, each; 80 feet high of the centre tower; girting 90 feet; 10 feet of the octagon watch tower, girting 70 feet; 15 feet of the square tower, girting 100 feet; 650 feet of terrace wall, averaging 8 feet high and thirty inches thick. Haunches of all the arches filled in with masonry. The floors and abutments of 76 cells, filled in two feet thick and grouted, as well as the arched passages and rooms of the cells and infirmary.

*Hammer dressed Masonry.*

7,926 feet hammer dressed stone, worked in the formation of the jambs, lintels and cills of 78 cells and yard door ways. Copping of the terrace wall, eaves in the rear of the front building, and the inside facing of the towers.

*Chissel dressed Stone.*

3,352 feet worked set and pointed chissel dressed stone, used in the brackets, moulded cornice, battlements, coping and other external features of the towers of the front building and eastern tower.

*Marble Mason.*

1,563 feet of common blue marble, used in the formation of 78 cell door sills, 4 passage ditto, 8 observatory ditto, 3 flights of stairways, 3 platforms, 4 sets of chimney copings, 20 steps in the basement of front building leading to yard, sink stones, &c. &c.

*Brick Work.*

450,000 Bricks have been laid in the formation of 770 feet of culvert, the walling and lining of 2 priories, the arched ceilings of 76 cells, the arched ceilings of 2 passages 180 feet long and 15 feet girt, the arched floor, 180 feet long and 15 feet girt, 2 groined arched ceilings of the infirmary, 24 feet square, together with chimneys, arches over windows, doors and other apertures.

*Carpenters' work.*

The roofs of 3 covered ways, 250 feet in length, covered with shingles, the frame work and shingle covering of the octangular observatory and reservoir, 150 feet in circumference, and its projecting eave, ready for plastering. - The joists of the balcony, flooring joists of the watch house, and two rooms of the infirmary, are made; all the centering for the masons, brick-layers and stone cutters, has been made, set and shifted of the desired form and strength; all the sash for the centre building is made and ready for glazing. The 76 oak doors for the cells and yards, are worked and ready for hanging. The several roofs of the front building and towers are completed and covered with ploughed and grooved boarding, for coppering. The two roofs of the blocks of cells are covered with boards, ready for slating.

8,592 Running feet of wall has been coped with shingles.

*Coppersmith.*

The roofs of the front building and towers are covered complete with gutters and conductors, fixed for carrying off the rain water; 76 copper ventilating caps fixed in the roof of the cells; 76 copper collars set round the cast-iron conical cell windows, to keep out the rain.

*Smithwork.*

t. cwt. qr. lbs.

11 14 1 4 of wrought iron has been worked into the following features:

- 201 Large cell door eyes,
- 686 Hinges for the same,
- 379 Cramps for doors,
- 105 Stays for doors and windows,
- 116 Latches for doors,
- 156 Feed door hooks,
- 78 Feed door ketches,
- 4 Flue doors,
- 496 Rivets and spikes,
- 112 Bolts,
- 16 Bars,
- 4 Braces,
- 8 Straps.

*Cast Iron.*

93 Cast iron cell door frames,  
 61 Pair cast iron cell feed door jambs,  
 91 Cast iron conical cell window frames,  
 152 do. cold air ventilating pipes,  
 152 do. warm do.  
 114 do. Feed shelves.

*Slater.*

15,000 Feet of slating is laid in the completion of one block of cells, and about two-thirds of the second.

N. B. In the construction of all the aforesaid work, all necessary scaffolding, hoisting machinery, labor, carting, lime, sand iron mongery, nails, screws, lumber and painting is included.

*On hand.*

130,000 of Bricks,  
 20,000 feet of boards, (Carolina,)  
 3,600 do. oak sleepers for cell floors,  
 12,000 do. white pine common boards, with scaffold poles,  
 planks, cordage tools, &c. &c.

The cell roof, and other unfinished parts, are carefully covered with boards for the winter, and gutters formed in the several yards, to protect the works from the rain and snow of the approaching winter. The scaffolding, tools, and other scattered parts of the work, have been collected and securely put away.

Respectfully submitted by your obedient servant,  
 (Signed) JOHN HAVILAND.

I certify the above to be a true copy of the original.

WM. S. SIMMONS,  
*Clerk.*

*Site of Penitentiary, Feb. 6, 1827.*

*An account of what remains to be performed, in order to complete such parts of the penitentiary as have been authorised to be built.*

*Carpenters' Work.*

Front building. The doors and windows are making. All the floors are to be laid, and the rooms skirted and angle beaded, ready for plastering. The front and rear entrance gates to be made and hung. Floors and seats of privies laid. A plain flight

of stairs to be formed, leading to the belfrey and roofs, and a step ladder, leading from the belfry to the top of the centre tower. The belfry roughly floored. Plain inside clamped window shutters to all the outside windows of the basement.

**Cells and observatory.**—The cell floors to be laid, and a narrow skirting fixed for the plastering. The wooden door of the cells and yards to be hung. A small door to be made and hung to each of the feed holes. A plain ledge gate to be made and hung to each of the covered ways. Eight doors to be made and hung to the basement of the reservoir. The octangular centre building to be skirted for plastering. The balcony to be finished, with a floor and plain rail and balustres. The belfry to be completed in a neat, plain manner, with Venitian windows and frame sufficient to support an alarm or domestic bell, with a step ladder leading to the apex of the cupola. The covered way, from the principal entrance to the cells, to be put up and roofed with shingles, similar to the three now finished. Centering of the second and third block of cell passage floors to be set for the bricklayer. The eastern and western towers in the angles to be floored; two doors hung to each.

#### *Masonry and Brickwork.*

**Front building.**—All the basement floors and passages to be paved and the coppers fixed, and an oven built. The steps leading to the yards to be set. The gutters and pavements in the infirmary and domestic yards, to be laid. The principal entrance paved. The fire places fixed for burning coal—One hundred and fifty feet of terrace coping to set; two hundred and fifty feet of culvert to be formed. The reservoir to be walled, lined, arched over and paved. The furnaces of the passages, for warming the cells, to be constructed. The centre passage, of the second and third block of cells, to be arched. All the passages and covered ways to be paved.

#### *Smithwork.*

All the iron doors of the cells are working, and about thirty ready for hanging and fastenings. The wrought iron doors of the front buildings, as well as their fastenings, to be executed. All the hinges and bolts of the small feed doors to be made. All the bolts of the wrought iron cell doors to be made. All the locks of the cell doors to be made. The bolts, hinges and rivets of the front gates to be made. All the pipes to be laid for introducing the water into the reservoir, and carrying off the same from the water closets to the culverts, with stop cocks, &c. complete.

#### *Painter and Glazier.*

All the sash of the front building to be glazed, and the conical windows of the cells to be glazed. All the wood work, before described, to have three good coats of oil paint, and the iron work three coats.



*Plasterer.*

To plaster all the cells and passages of three blocks of cells; the two rooms off the observatory and watch house; the ceiling of the covered way, and all the arched ceilings and walls of the rooms and passages of the front building and the two privies.

(Signed)

JOHN HAVILAND, *Architect.*JACOB SOUDER, *Superintendent.*

The iron railing round the balcony of the front building and stairways, were omitted to be described as to be done.

J. H.

*December 28, 1826.*

I certify the foregoing to be a true copy of the original.

WM. S. SIMMONS, *Clerk.**Site of Penitentiary, Feb. 6, 1827.*

Laid on the table.

The Clerk of the House of Representatives, being introduced, informed that the House of Representatives have concurred in the amendments by the Senate to the bill from the House of Representatives, entitled

No. 61. "A supplement to an act relative to state roads therein mentioned," passed 5th April, 1826.

Laid on the table.

Mr. Herbert, from the committee to compare bills and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, viz.

No. 46. "A supplement to the act entitled, An act to provide for the education of children at the public expense, within the city and county of Philadelphia," passed the third day of March, one thousand eight hundred and eighteen

No. 60. "Resolution relative to the further distribution of Purdon's Digest."

No. 61. "A supplement to the act relative to state roads therein mentioned," passed the fifth day of April, one thousand eight hundred and twenty six.

No. 116. "An act to improve a certain public road in Union and Centre counties, commonly called the Brush Valley Narrows, and to improve the road from Bedford to Armagh."

No. 118. "A supplement to an act entitled an act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation."

No. 127. "An act establishing an academy in the town of Clearfield."

Laid on the table.

Mr. Power read in his place, and on leave given, presented to the chair bill No. 141, entitled

"A further supplement to an act for the preventing clandestine marriages."

Said bill was read the first time,

On motion of Mr. Kelley and Mr. Hawkins,

An item of unfinished business, to be found on page 154 of the journal of last session, relating to the petition and documents of James Henegan,

Was referred to the committee on roads, bridges and inland navigation.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 95, from the House of Representatives, entitled

"An act to perpetuate testimony in certain cases, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

It was determined in the negative.

A motion was then made by Mr. Knight and Mr. Hamilton,

That the said bill be committed to the committee on the judiciary system.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 112, entitled

"An act for the relief of the sureties of William Hamilton, deceased."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Ray and Mr. Mann,

The Senate resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 87, entitled

"An act to extend the boundaries of Union county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Petrikin and Mr. Hamilton,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 102, entitled

"An act for the relief of William Alexander, late a supervisor of Spring township, in the county of Centre."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 10 o'clock, on Monday morning next.

## MONDAY, February 12, 1827.

Mr. Kitchin, presented the memorial of sundry citizens of Bucks county, praying for the repeal of the act relating to collateral inheritances and remonstrating against the construction of the Pennsylvania canal.

Which was referred to the committee, who have that subject under consideration.

Mr. Garber presented two remonstrances of similar tenor, from sundry citizens of Mifflin county, against the division of that county.

Mr. Ryon, presented two remonstrances of similar tenor, from sundry citizens of Bradford county, against repealing the act entitled "An act relating to Connecticut settlers," passed 8th April, 1826.

Mr. Knight presented the petition of sundry citizens of Washington county, praying that the assent of the state of Pennsylvania be given to Congress, to the erection of toll gates and the collection of tolls on the Cumberland road, to be applied exclusively to its preservation and repair.

Said remonstrances and petition were laid on the table.

Mr. Ryon presented the petition of sundry citizens of Middlebury township, Tioga county, praying that the place holding their

general elections may be changed to the house of Edsell Mitchell in said township.

Which was referred to the committee on election districts.

Mr. Hay presented a petition, praying for certain alterations in the law regulating the militia, so far as it affects the first division of the militia of this commonwealth.

Which was referred to the committee on the militia system.

Mr. Mann, from the committee on claims, reported bill, No. 142 entitled,

"An act for the relief of Charles Mitman, a soldier of the revolution.

Said bill was read the first time.

The secretary of the commonwealth being introduced, presented a message from the governor, which was read as follows, viz.

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following Acts of the general assembly, and directed the secretary of the commonwealth to return them to the House of Representatives, in which they originated, viz.

No. 61. "A supplement to an act relative to state roads therein mentioned, passed the fifth of April, eighteen hundred and twenty-six.

No. 46. "A supplement to the act entitled "An act to provide for the education of children, at the public expense, within the city and county of Philadelphia, passed the third day of March, one thousand eight hundred and eighteen."

No. 118. "A supplement to an act entitled, "An act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation."

No. 127. "An act establishing an academy in the town of Clearfield."

No. 116. An act to improve a certain public road, in Union and Centre counties, commonly called the Brush Valley Narrows, and to improve the road from Bedford to Armagh."

No. 60. "A resolution relative to the further distribution of Purdon's Digest."

J. ANDW. SHULZE.

*Harrisburg, February 12, 1827.*

Laid on the table.

A motion was made by Mr. Dunlop and Mr. Herbert, and read as follows, viz.

"Whereas the connection of the eastern and western waters of Pennsylvania by a central canal, so deeply affects the interests of the inhabitants of this commonwealth, and involves the expendi-

ture of such vast sums of money from the public treasury, as to demand the utmost deliberation and caution, in carrying into effect so important a project, and justifies the legislature in obtaining the assent of the people in a manner more solemn than the ordinary subjects of legislation demand."

"Therefore,

Resolved, That the Senate will not concur in any further legislative provisions to extend the projected canal through the state of Pennsylvania, beyond the points designated by the act of assembly of the last session until the voice of the citizens of this commonwealth shall be ascertained by a solemn appeal to the people and that a committee be appointed and instructed to report a bill, calculated to ensure, at the next general election, a full and fair expression of the popular opinion upon a measure so pregnant with interesting or disastrous consequences."

Laid on the table.

A motion was made by Mr. Ogle and Mr. Emlen, and read as follows, viz :

"Resolved, That the committee on Banks, be instructed to enquire into the expediency of repealing so much of the acts incorporating the banks of Pennsylvania, Philadelphia and Columbia Bridge Company, as requires the legislature to elect directors."

Laid on the table.

The senate resumed the second reading and consideration of bill, No. 90 entitled,

"An act for the protection of sureties in certain cases.

The question recurring,

Shall this bill be transcribed for the third reading ?

A motion was made by Mr. Hawkins and Mr. Ogle,

To postpone the question together with the bill, for the present,

Which was agreed to.

Bills numbered and entitled as follow were severally read the second time and ordered to be transcribed for the third reading, viz :

No 87. "An act to extend the boundaries of Union county.

No, 102. "An act for the relief of William Alexander late a supervisor of Spring township, in the county of Centre.

Bill No. 112. entitled,

"An act for the relief of the sureties of William Hamilton, deceased, was read the second time.

The first and only section being under consideration,

On the question,

Will the senate agree to the section ?

The yeas and nays were required by Mr. Garber and Mr. Ogle and are as follow, viz.

## YEAS.

Messrs. Dunlop,  
Emlen,  
Hambright,  
Hamilton,  
Hay,  
Herbert,  
Hunt,  
Kelley,  
Kerlin,  
King,  
Kitchin,  
Knight,

## NAYS.

Messrs. Allshouse,  
Garber,  
Hawkins,

## YEAS.

Messrs. Leech,  
Mana,  
Moore,  
Ogle,  
Petrikin,  
Power,  
Ryon,  
Sturgeon,  
Sullivan,  
Winter,  
Mahon, Speaker, 23.

## NAYS.

Messrs. Ray,  
Seltzer, 5

So it was determined in the affirmative.

The title was considered and agreed to.

Ordered, that said bill be transcribed for the third reading.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. Petrikin in the chair, on bill. No. 94, from the House of Representatives, entitled,

"A supplement to the act entitled, An act limiting the time, during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers.

After some time the committee rose.

The chairman reported progress and the committee of the whole obtained leave to sit again on Saturday the 17th instant.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. Power in the chair, on bill, No. 117 from the House of Representatives, entitled,

"A supplement to the several acts of assembly directing the mode of selling unseated lands for taxes."

After some time,

The committee rose, the chairman reported progress and the committee obtained leave to sit again on Tuesday the 20th inst.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. King in the chair, on bill No. 129, from the House of Representatives entitled,

"A supplement to an act entitled, A supplement to an act entitled An act to authorise the governor of this commonwealth to incorporate a company, for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster,

at or near the town of Columbia, passed the 9th day of March, 1824.

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, to-morrow morning.

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## **TUESDAY, February 13, 1827.**

Mr. Hay presented two petitions, of similar tenor, praying for certain alterations in the law regulating the militia of this commonwealth.

Said petitions were referred to the committee on the militia system.

Mr. Seltzer, from the committee to whom was committed bill No. 45, entitled

“An act to enable Jacob Lentz and Abraham Lentz, executors of Jacob Lentz, deceased, to sell certain real estate,” reported bill No. 143, with a similar title.

Said bill was read the first time.

The Speaker laid before the Senate the report of the commissioners of the internal improvement fund, which was read as follows:

*To the Senate and House of Representatives of Pennsylvania.*

The commissioners constituting the board of the internal improvement fund, under the act of assembly of the 1st of April last, respectfully submit the accompanying statement, shewing the situation of said fund, up to the 1st of February, 1827.

The account exhibited, shews that the sum of \$160,000 of the loan of \$100,000, for the construction of the Pennsylvania canal, being required by the board of canal commissioners for that object, was

received by the commissioners of the internal improvement fund, and paid over to the treasurer of the canal board, on warrants drawn by the governor, according to law. The account further shews, that \$30,000 of the auction duties, \$2,250, arising from bridge stock owned by the state, and \$256 38, the amount of an escheat, have been received from the state treasurer by the board, agreeably to the provisions of the act. Out of the sum which has thus come into their hands, has been paid the interest due on the canal loan, leaving a balance on the 1st inst. of \$31,107 15; but, as this sum is to be applied to the payment of the interest and expenses provided for by the act during the current year, the board have considered it unadvisable, as yet, to invest any part of the amount in public stock.

The first section of the law requires the board to recommend to the legislature, from time to time, such measures as shall seem advisable, for the improvement of the fund confided to their charge; but, as the law has been in operation but a short time, they have not had sufficient experience under it to justify them in recommending any measures, at this time, to the legislature, nor are they now aware that any are necessary for that purpose.

I. D. BARNARD,  
DAVID MANN,  
WM. CLARK,

*Commissioners of the internal improvement fund.*



THE COMMISSIONERS appointed by the act of the 1st of April, 1826, entitled "An act establishing an internal improvement fund," and one other act of the same date, entitled "An act authorising a loan for the commencement of the construction of the Pennsylvania canal, and for other purposes," report in pursuance of said acts, the following statement of said fund, up to the 1st of February, 1827, inclusive.

DR.		CR.		
1826.	1826.	July 25,	By cash as per governors warrant of this date, in favor of the treasurer of the board of Pennsylvania canal commissioners,	50,000
		Oct. 24,	Ditto, dated 17th inst.	50,000
		Dec. 19,	Ditto, dated this day,	25,000
		1827. Jan. 3,	Ditto, dated this day,	35,000
				<u>\$ 160,000</u>
		1826. Dec. 13,	Received from the state treasurer, in pursuance of the act establishing an internal improvement fund, passed 1st April, 1826, viz.	256 38
		1827. Jan. 1,	Dividend on Harrisburg bridge stock,	2,250 00
		Feb. 1,	From proceeds of auction duties,	50,000 00
				<u>\$32,506 38</u>
		1827. } By cash paid at bank of Pennsylvania for interest due this day. on \$160,000, loaned under act of 1st April, 1826, for the commencement of the construction of the Penna. canal,	2,399 23	
		Feb. 1 }	Balance in the hands of the commissioners,	50,107 15
				<u>\$32,506 38</u>

I. D. BARNARD, } Commissioners of the  
DAVID MANN, } internal improvement  
WM. CLARK, } fund.

Laid on the table.

Bill No. 87. entitled

"An act to extend the boundaries of Union county,"

Was read the third time.

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Garber and Mr. Hamilton, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Dunlop, Hawkins, Hay, Kelley, Leech, Mann, Moore,	Messrs. Ogle, Petrikin, Ray, Ryon, Seltzer, Sturgeon, Winter,
NAYS.	NAYS.
Messrs. Emlen, Garber, Hambright, Hamilton, Herbert, Hunt,	Messrs. Kitchin, Knight, Power, Sullivan, Mahon, speaker,
	15.
	11.

So it was determined in the affirmative.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 102. "An act for the relief of William Alexander, late a supervisor of Spring township, in the county of Centre."

No. 112. "An act for the relief of the sureties of William Hamilton, deceased."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence."

A motion was made by Mr. Knight and Mr. Leech, and read as follows, viz.

No. 144, "Resolution relative to the repair and preservation of the Cumberland road.

"Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the Senators and Representatives from this state, in congress, be, and they are hereby requested, to use their exertions to procure the enactment of a law by the congress of the United States, which shall provide for the repair and preservation of the Cumberland road, under the superintendence of the general government, either by an appropriation or by establishing toll gates upon the same and collecting so much toll as may be necessary for that purpose.

Sect. 2. Be it further resolved by the authority aforesaid, That the governor is hereby requested to transmit a copy of the foregoing resolution to each of our senators and representatives, from this state, in the congress of the United States."

Laid on the table.

Bill No. 129, from the House of Representatives, entitled  
"A supplement to an act entitled a supplement to an act entitled an act to authorise the governor of this commonwealth to incorporate a company, for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia, passed the 29th day of March, 1824,"

Was read the second time, and

Ordered to be prepared for the third reading.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 145. An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth."

No. 146. Resolution relative to the duty on salt, and the protection of the manufacturers of woollen goods.

Said bills were read the first time.

He also returned the bill No. 85, entitled

"An act concerning weights and measures."

And informed that the House of Representatives have passed the same without amendment.

Laid on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ray in the chair, on bill No. 111, entitled

"An act to repeal part of an act, passed March 15, 1826, authorising James Bell and Evan Thomas, to build a bridge over Smithfield creek, in Northampton county."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ryon in the chair, on bill No. 119, entitled

"An act concerning unpatented lands."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Tuesday the 20th instant.

The question recurring.

Shall this bill be transcribed for the third reading?

A motion was made by Mr. Dunlop and Mr. Knight,  
To postpone the question, together with the bill, until to-morrow.  
Which was agreed to.

Agreeably to order,

The senate again resolved itself into a committee of the whole,  
Mr Sturgeon in the chair, on bill No. 130, from the House of Representatives entitled,

"An act declaring certain creeks within this commonwealth public highways."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 79, entitled

"An act for the relief of Connecticut settlers."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Knight and Mr. Kitchin,

To discharge the committee of the whole from the further consideration of the bill, and that it be committed to the committee on the judiciary system.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Seltzer in the chair, on resolution No. 88, from the House of Representatives, entitled

"Resolution relative to the report of the commissioners appointed to revise the penal code."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Thursday, the first of March next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on bill No. 163, entitled

"An act to authorise the governor to incorporate the Shippensburg and Foxbury turnpike road company."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, to-morrow morning.

panies, of Philadelphia, may be exempt from the performance of military duty.

Said memorials were referred to the committee on the militia system.

Mr. Garber presented five remonstrances of similar tenor, from sundry citizens of Mifflin county, against a division of said county.

Said remonstrances were laid on the table.

Mr. Hawkins presented the petition of sundry citizens of Greene county, praying for the extension of the act for the promotion of agriculture and domestic manufactures, passed March 6, 1820.

Which was referred to Messrs. Hawkins, King and Knight.

Mr. Winter presented the petition of sundry citizens of Northampton county, praying for the passage of a law authorising the erection of a bridge over Broadhead's creek, at or near the Analomink mills, in Stroud township, in said county.

Which was referred to Messrs. Winter, King and Leech.

Mr. Hay presented the petition of sundry citizens of Philadelphia county, praying for the passage of a law requiring supervisors to give bond and security for the faithful discharge of the duties of their office.

Which was referred to Messrs. Hay, Emlen and Garber.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported bill No. 147, entitled

"A supplement to the act entitled, An act authorising the review of certain state roads."

Mr. Kelley from the committee on the subject, on leave given reported bill No. 148, entitled

"A supplement to an act entitled, An act to erect the town of Indiana, in the county of Indiana, into a borough."

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill entitled,

No. 149. "An act providing a mode of enforcing the payment of moneys charged on any lands, tenements or hereditaments, by last will or testament.

Said bill was read the first time.

Mr. Mann from the committee on claims, to whom were referred the petition and documents of Elizabeth Stapleton, reported:

That she is the widow of William Stapleton, deceased, a revolutionary soldier, and late a pensioner of the state of Pennsylvania; that she was married to him in the month of January, 1781, and that he, (William Stapleton) died on the 26th day of January, 1827, and lastly, that she is poor and in indigent circumstances, and therefore prays relief. Your committee, however, have carefully examined the petition and documents of Elizabeth Stapleton, and are of the opinion that the prayer of the petitioner ought not to be grant-

ed; inasmuch as the military services which her late husband performed was all done previous to their marriage, although they were married before the end of the war. But inasmuch, as in granting pensions to widows, the legislature always considered that the widow should have been the wife of the soldier during the term of his military services, and therefore endured the privations and suffering which was the common lot of those whose husbands marched in defence of their country's rights. They therefore deem it inexpedient, and offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

Laid on the table.

Bill No. 129. from the House of Representatives, entitled

"A supplement to an act entitled a supplement to an act entitled an act to authorise the governor of this commonwealth to incorporate a company, for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster. at or near the town of Columbia, passed the 29th day of March, 1824,"

Was read the third time and passed.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

Bill No. 49, entitled

"An act for the relief of John Neuman, a deaf and dumb person,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

Bill No. 98, entitled

"An act authorising the governor to incorporate the Allegheny and Conewango Canal Company."

Was read the second time.

The same being under consideration,

A motion was made by Mr. Kelley and Mr. Ogle,

To postpone the bill until to-morrow.

Which was agreed to.

Bill No. 111, entitled

"An act to repeal part of an act, passed March 15, 1826, authorising James Bell and Evan Thomas, to build a bridge over Smithfield creek, in Northampton county,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

Bill No. 115, from the House of Representatives, entitled

"An act granting to John Dickson, of the borough of Erie, a certain lot of ground,"

Was read the second time.

The first and only section being under consideration,

A motion was made by Mr. Knight and Mr. Sullivan,

To amend the same, by inserting, after the word "two," in the tenth line, the following: "together with ten dollars, the patenting fees"

Which was agreed to.

The section, as amended, was then agreed to.

The preamble was considered and disagreed to.

The title was considered and agreed to.

Ordered, That said bill be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on bill No. 124, entitled

"A supplement to the act entitled an act authorising the governor to incorporate the Conestogo navigation company."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Kerlin and Mr. Mann,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 142, entitled

"An act for the relief of Charles Mitman, a soldier of the revolution."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Mann and Mr. Allshouse,  
Said bill was read the second time, and

Ordered, To be transcribed for the third reading.

On motion of Mr. Mann and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 139, from the House of Representatives, entitled

"An act for the relief of George Huffman, a revolutionary soldier."

After some time,

The committee rose, and the chairman reported the first and only section negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

The yeas and nays were required by Mr. Ogle and Mr. Power, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Duncan, Dunlop, Emlen, Garber, Hawkins, Hay, Herbert, Hunt, Kelley,	Messrs. Kerlin, King, Leech, Logan, Mann, Petrikin, Ray, Seltzer, Sturgeon, Sullivan, 20.
NAYS.	NAYS.
Messrs. Hambright, Hamilton, Kitchin, Knight, Moore,	Messrs. Ogle, Power, Ryon, Winter, Mahon, speaker, 10.

So it was determined in the affirmative.

On motion of Mr. Knight and Mr. Kitchin,

The Senate resolved itself into a committee of the whole, Mr. Emlen in the chair, on resolution No. 144, entitled

"Resolution relative to the repair and preservation of the Cumberland road."

After some time,

The committee rose, and the chairman reported progress, and the committee obtained leave to sit again on Monday, the 19th instant.

Adjourned until 10 o'clock, to-morrow morning.

## THURSDAY, February 15, 1827.

Mr. Mann presented the petition and documents of Elizabeth Bison of Montgomery county, widow of a revolutionary soldier, praying for relief.

Mr. Ray presented the petition and documents of Daniel St. Clair, of Northumberland county, a soldier of the revolution, praying for relief.

Said petitions and documents were referred to the committee on claims.



Mr. King presented the petition and documents of John Seager, of Lehigh county, praying for authority to sell and convey certain real estate therein mentioned.

Which were referred to Messrs. King, Winter and Kitchen.

Mr. Ryon presented the petition of sundry citizens of Bradford county, praying that Wysox creek, in said county, may be declared a public highway, from Barne's mills, to Lentz's saw mills.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Ryon presented the petition of sundry citizens of Susquehanna county, praying for certain alterations in the act incorporating the Lackawana and Susquehanna rail-road company.

Mr. Garber presented the remonstrance of sundry citizens of Mifflin county, against the division of said county.

Mr. Garber presented the petition of sundry citizens of Mifflin county, praying that certain depreciated money in the state treasury, may be appropriated to the completion of a road from the borough of Lewistown, over the Black Log and Shade mountains, to intersect the road leading from Mifflintown to the Burnt Cabbins

Said petitions and remonstrance, were laid on the table.

The speaker laid before the Senate, letters, accompanied with documents, from the secretary of the commonwealth and auditor general, which were read as follow:

#### SECRETARY'S OFFICE.

February 14, 1827.

*Alexander Mahon, Esquire,  
Speaker of the Senate.*

SIR—

In pursuance of a resolution of the legislature, authorising and directing the secretary of the commonwealth to furnish to the clerks of the respective Houses, a sufficient number of copies of the last edition of Purdon's Digest, at a price not to exceed four dollars per copy, for the use of the members who have not already been supplied with the same. I requested William Stewart, Esq. of Philadelphia, to ascertain if they could be purchased in the city at that price. A copy of a letter from Mr. Stewart, with one from V'Carty and Davis, on this subject, herewith communicated, will shew, that the work, properly bound, cannot be had for less than five dollars per copy, exclusive of the expense of transportation to the seat of government.

I am with much respect,

Your obedient servant,

L. D. BARNARD,

*Sec'y of Com'th.*

*Philadelphia, February 12, 1827.*

DEAR SIR—

Agreeably to your request, I have conferred with two or three of our book sellers, upon the subject of Purdon's Digest, and am sorry to say, that they are not disposed to sell that book at the price fixed upon by the legislature. I find that M'Carty & Davis are still in possession of the late edition, and that none others of the trade have more than a limited supply for retail; they were the persons, therefore, with whom it was necessary to have an understanding upon the subject; and their reply to an application made by me is herewith enclosed. Their statement as to the price obtained, from the booksellers is confirmed by Mr. Nicklin, who informs that the regular retail price is \$6 50 per copy, and that considerable sales have been made at \$4 in sheets;—the demand appears to increase, and more is given for that book now, than when first published.

Very respectfully,

Your friend and

Humble servant.

WM. S. STEWART.

Gen. I. D. BARNARD,

Secretary of Com'th.

*Philadelphia, February 12, 1827.*

MR. WM. STEWART,

Our lowest wholesale price, to booksellers, for Purdon's Digest, by the quantity is \$5 85 per copy; but in consequence of the legislature having purchased a considerable number when the work was first published, we do not feel disposed to advance on the price then paid.

We will furnish 75 copies, the number required, at \$5 per copy, bound either in plain law calf, or in law sheep with loose backs, raised bands and double titles, (a specimen of which may probably be seen at Mr. H. M'Gowan's book store, in Harrisburg.) should the last mentioned binding be preferred, the books can be furnished within one week from the receipt of the order, we having just had some copies very handsomely bound in that manner.

Should the plain calf binding be preferred, it will require about two weeks to have them bound.

The expense of transportation to be paid by the commonwealth.

Your's very respectfully.

M'CARTY & DAVIS.

AUDITOR GENERAL'S OFFICE.

*February 15, 1827.*

SIR—

In compliance with a resolution of the Senate, of the 8th instant, requiring the Auditor General to report to the Senate, as soon as convenient, the amount of stock of the several turnpike companies of this commonwealth, in which the state holds stock,

Lycoming and Ber,

Centre,

Springhouse, Nhampton and Bethlehem,

Susquehanna at Lehigh,

Susquehanna and Tioga,

Indiana and Eberburg,

10,000

10,000

\$0,400

12,000

20

59

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... ..  
this commonwealth, in which the state holds stock, ... ..

stating the proportion held by the state and by the individual subscribers, and the amount of the tolls, expenses and debts of each of said companies, agreeably to the latest returns," the accompanying statement is respectfully submitted.

With great respect, I am,

Sir, your obedient servant.

DAVID MANN

*The Honorable Alexander Mahon,  
Speaker of the Senate.*

Said letters and documents were read and laid on the table.

Mr. Sullivan obtained leave to withdraw the petition and documents of the creditors of the Pittsburg and Butler turnpike road company.

Mr. Petrikin from the committee to whom was committed the amendments by the House of Representatives, to resolution No. 104, entitled

"Resolution for the further distribution of the pamphlet laws of this commonwealth."

Reported the amendments as committed.

The same being under consideration,

A motion was made by Mr. Petrikin and Mr. Hawkins,

That the Senate non-concur in said amendments.

On the question,

Will the Senate non-concur?

A motion was made by Mr. Mann and Mr. Ogle,

To postpone the question, together with the amendments, for the present

Which was agreed to.

Mr. Mann, from the committee on the subject, on leave given, reported bill No. 150, entitled

"An act to repeal an act relating to collateral inheritances."

Mr. Hawkins, from the committee on the subject, on leave given, reported bill No. 151, entitled

"A supplement to an act entitled an act for the promotion of agriculture and domestic manufactures."

Mr. Winter, from the committee on the subject, on leave given, reported bill No. 152, entitled

"An act authorising the administrators of Peter Anthony to sell and convey certain real estate."

Mr. Power read in his place, and on leave given, presented to the chair bill No. 153, entitled

"An act relative to the western penitentiary."

Mr. Duncan read in his place, and on leave given, presented to the chair, bill No. 154, entitled

"An act to erect the village of Germantown, in the county of Philadelphia, into a borough."

Said bills were read the first time.

The secretary of the commonwealth being introduced, presented a message, accompanied with documents, from the governor, which were read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to you a copy of a communication from the governor of the state of Alabama, with a resolution of the legislature of that state, disapproving of certain resolutions of the states of Delaware, Connecticut, Illinois and Indiana, concurring with a resolution of the state of Ohio, proposing the emancipation of slaves, and a resolution of the state of New Jersey, recommending a system of foreign colonization.

J. ANDW. SHULZE.

*Harrisburg, February 15, 1827.*

EXECUTIVE DEPARTMENT, ALABAMA,

*Tuscaloosa, January 8, 1827.*

*His Excellency, the Governor  
of the state of Pennsylvania.*

SIR—

I have the honor to transmit you a certified copy of "A joint resolution of the Senate and House of Representatives of this state, disapproving certain resolutions of the legislatures of the states of Delaware, Connecticut, Illinois and Indiana, concurring with a resolution of the state of Ohio, proposing the emancipation of slaves, and a resolution of the legislature of New Jersey, recommending a system of foreign colonization;" which I beg you to lay before the legislature of the state over which you preside.

I have the honor to be,

Most respectfully,

Your excellency's ob't serv't.

JOHN MURPHY.

By the Governor.

JAMES I. THORNTON,

*Secretary of State.*

*A joint resolution of the Senate and House of Representatives of the state of Alabama, disapproving certain resolutions of the legislatures of the states of Delaware, Connecticut, Illinois, and Indiana, concurring with a resolution of the state of Ohio, proposing the emancipation of slaves; and a resolution of the legislature of New Jersey, recommending a system of foreign colonization.*

The select committee, to whom was referred a resolution of the state of Mississippi, transmitted in a special communication to this House by his excellency the Governor, disapproving of resolutions

passed by the legislatures of the states of Ohio, New Jersey, Delaware, Connecticut, Indiana and Illinois, on the subject of the abolition and general emancipation of persons of color, held in servitude in the United States, having had the same under consideration, respectfully submit the following report:

They conceive that the subject is one in which the states (where the evil complained of exists) are alone interested; that the frequent interference of the non-slave-holding states in a matter so purely internal and domestic, is alike impolitic and incompatible with the rights and interest of the slaveholding states; and that the dictates of policy forbid the too frequent agitation of a question, which, by the constitution of the United States, and of the several slave holding states, is beyond the exercise of legislative control. Your committee further suggest, that if, at any future day, the evil complained of becomes too oppressive to be borne, it will be the peculiar privilege, as well as duty of the slave-holding states themselves, to apply such expedients of relief as their information may suggest, and their own interests and safety may require; and in determining the proper time when this great work of policy and benevolence shall commence, they conceive that the states most interested in the result, can alone be the proper judges.

Your committee, therefore, ask leave to recommend the following joint resolution to accompany this report.

Resolved by the Senate and House of Representatives of the state of Alabama, in general assembly convened, That the resolutions of the states of Delaware, Connecticut, Illinois and Indiana, concurring with a resolution of the state of Ohio, proposing the emancipation of slaves, passed on the seventh day of January, one thousand eight hundred and twenty-four, together with a resolution from the state of New Jersey, recommending a system of foreign colonization to be adopted, to effect the entire emancipation of slaves, be, and the same are hereby disapproved by the legislature of this state; and that his excellency, the governor, be hereby requested to transmit a copy of this resolution and report to the executive of each of the United States.

SAMUEL W. OLIVER,

*Speaker of the House of Representatives*

NICHOLAS DAVIS.

*President of the Senate.*

Approved, January 1, 1827.

JOHN MURPHY,

*Secretary of State's Office,*

*Tuscaloosa, Jan. 8, 1827.*

*A true copy.*

JAMES I. THORNTON.

*Laid on the table.*

The Clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled as follow, viz.

No. 155. "An act to prevent fraud in the sale of manufactured tobacco."

Said bill was read the first time.

He also returned the bill from the senate, entitled  
No. 120. "An act for the relief of Mary Lemmonton and Margaret Blattenberger, widows of revolutionary soldiers.

And informed that the House of Representatives have passed the same without amendment.

Laid on the table.

Bills numbered and entitled as follow, were severally read the third time and passed.

No 49. "An act for the relief John Neuman, a deaf and dumb person."

No. 111. "An act to repeal part of an act passed March 15th, 1826, authorising James Bell and Evan Thomas to build a bridge over Smithfield creek, Northampton county.

No. 14. "An act for the relief of Charles Mitman, a soldier of the revolution.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

Bill No. 115 from the House of Representatives, entitled  
"An act granting to John Dickson, of the borough of Erie, a certain lot of ground, was read the third time and passed.

Ordered, that the clerk return said bill to the House of Representatives with information, that the senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Knight and Mr. Hawkins,

The resolution relative to authorising the board of canal commissioners to cause to be surveyed the river Manongahela, was read the second time, considered and adopted.

On motion of Messrs. Garber and Seltzer,

The following resolution was twice read, considered and adopted.

Resolved, That the Speaker draw his warrant on the State Treasurer, for two hundred dollars, in favor of Cameron & Krause, to be accounted for in the settlement of their account for printing the Journal of Senate, in the English language.

A warrant was accordingly drawn.

Bill No. 9A, entitled

An act authorising the governor to incorporate the Allegheny and Conewango canal company,

Was read the second time, and

Ordered, To be transcribed for the third reading.



Bill No. 124, entitled

"A supplement to the act entitled an act authorising the governor to incorporate the Conestoga navigation company,

Was read the second time,

The same being under consideration,

A motion was made by Mr. Hambright and Mr. Hamilton, to postpone the bill for the present.

Which was agreed to.

A motion was made by Mr. Petrikin and Mr. Logan,

That the Senate reconsider the vote taken yesterday, on agreeing to the report of the chairman of the committee of the whole, negating the first section of bill No. 139, from the House of Representatives, entitled

"An act for the relief of George Huffman, a revolutionary soldier."

On the question,

Will the senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Hamilton, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Dunlop, Hambright, Hamilton, Hawkins, Hay, Kelley, Kitchin, Knight, Logan,	Messrs. Moore, Ogle, Petrikin, Power, Ray, Ryon, Seltzer, Sullivan, Winter, Mahon, speaker, 20.
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Emlon, Garber, Herbert,	Messrs. Hunt, Kerlin, Leech, Mann, Sturgeon, 10

So it was determined in the affirmative.

The question recurring,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Kelley and Mr. Garber,

To postpone the question, together with the bill for the present.

Which was not agreed to.

The question again recurring,

Will the Senate agree to the report of the chairman of the committee of the whole?

The yeas and nays were required by Mr. Mann and Mr. Kerlin and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Duncan, Dunlop, Emlen, Herbert, Hunt,	Messrs. Kerlin, King, Leech, Mann, Sturgeon, 11.
NAYS.	NAYS.
Messrs. Audenried, Garber, Hambright, Hamilton, Hawkins, Hay, Kelley, Kitchin, Knight, Logan,	Messrs. Moore, Ogle, Petrikin, Power, Ray, Ryon, Sullivan, Winter, Mahon, Speaker, 12.

So it was determined in the negative.

Whereupon,

On motion of Mr. Ogle and Mr. Kitchin,

Said bill was read the second time; and

On motion of Mr. Ogle and Mr. Moore,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with,

Said bill was read the third time.

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Mann and Mr. Power, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Hambright, Hamilton, Hawkins, Hay, Kelley, Kitchin, Knight, Logan;	Messrs. Moore, Ogle, Petrikin, Power, Ray, Ryon, Sullivan, Winter, Mahon, speaker, 18.

## NAYS.

Messrs. Allshouse,  
Duncan,  
Dunlop,  
Emten,  
Garber,  
Hunt,

## NAYS.

Messrs. Kerlin,  
King,  
Leech,  
Mann,  
Sturgeon,

11.

So it was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill, No. 122 from the House of Representatives, entitled,

"A further supplement to an act regulating Hawkers and Pedlers."

After some time,

The committee rose, the chairman reported progress and the committee of the whole obtained leave to sit again on to-morrow.

Adjourned until 10 o'clock, to-morrow morning:

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## FRIDAY, February 16, 1827.

Mr. Ryon presented two remonstrances, of similar tenor, from sundry citizens of Bradford county, against the repeal of the act relating to Connecticut settlers, passed April 8th, 1826.

Mr. Herbert presented a remonstrance of sundry citizens of Cumberland, against annexing the new county, to be created out of part of Mifflin county, to the ninth judicial district.

Mr. Kelley presented the petition of sundry citizens of Mifflin county, praying that that part of said county, lying south and east of the Black-log and Shade mountains, may be erected into a new county.

Mr. Garber presented three remonstrances, of similar tenor, from sundry citizens of Mifflin county, against the division of said county.

Said petitions and remonstrances were laid on the table.

Mr. Sullivan presented the petition and documents of the creditors of the Pittsburg and Butler, the New Alexandria and Pittsburg, and New Alexandria and Conemaugh turnpike road companies, praying for relief.

Which were referred to Messrs. Sullivan, King and Winter.

Mr. Petrikin presented the petition of sundry citizens of Mifflin county, praying for the passage of the bill entitled

"An act erecting all that part of Mifflin county, south and east of the Black-log and Shade mountains, into a separate county, to be called Juniata.

Said petition was read, and on leave given, the same was withdrawn.

Mr. Herbert, from the committee to compare bills and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, viz.

No. 85. "An act concerning weights and measures."

No. 120. "An act for the relief of Mary Lemminton and Margaret Blattenberger, widows of revolutionary soldiers."

No. 129. "A supplement to an act entitled a supplement to an act entitled An act to authorise the governor of this commonwealth to incorporate a company, for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia, passed the 29th day of March, 1824.

No. 139. "An act for the relief of George Huffman, a revolutionary soldier."

Laid on the table.

Mr. Mann, from the committee on claims, reported bill No. 156, entitled

"An act for the relief of Elizabeth Bison, widow of Charles Bison, a soldier of the revolution."

Mr. King, from the committee on the subject, on leave given, reported bill No. 157, entitled

"A supplement to the act entitled an act establishing an academy in the borough of Northampton, in Lehigh county, and granting a sum of money thereto."

Mr. Winter, from the committee on the subject, on leave given, reported bill No. 158, entitled

"An act to authorise Stoddell Stokes, to erect a bridge over Broadhead's creek, in Northampton county."

Said bills were read the first time.

The clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follows, viz.

No. 159. "A supplement to an act entitled an act to incorporate the district of Spring Garden."

No. 160. "An act for the relief of sundry brigade inspectors."

Said bills were read the first time.

And informed that the House of Representatives have concurred in the amendments by the Senate, to the bill from the House of Representatives, No. 115, entitled

"An act granting to John Dickson, of the borough of Erie, a certain lot of ground."

Laid on the table.

Bill No. 98, entitled

"An act authorising the governor to incorporate the Allegheny and Conewango Canal Company,"

Was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The senate again resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 122, from the House of Representatives entitled,

"A further supplement to an act regulating hawkers and pedlers."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. Dunlop in the chair, on bill No. 110, from the House of Representatives, entitled,

"An act erecting all that part of Mifflin county, south and east of the Black-log and Shade mountains, into a separate county, to be called Juniata.

After some time the committee rose,

The chairman reported progress and the committee obtained leave to sit again on Wednesday the 28th instant.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No. 128, from the House of Representatives, entitled

"An act to exempt from taxation the property of the Pennsylvania institution for the Deaf and Dumb,"

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order.

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 133, entitled

"An act to authorize Samuel Humes, junior, guardian of Fidelity R. Van Dyke to sell and convey certain real estate."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The senate resolved itself into a committee of the whole Mr. Hamilton in the chair, on bill, No. 134, entitled

"An act to amend the charter of the borough of York."

After some time,

The committee rose and the chairman reported the bill with amendments.

Bill No. 150, on which no order had been taken, entitled

"An act to repeal an act entitled an act relating to collateral inheritances."

On the question,

What day will the senate assign for the consideration of this bill?

Mr. Petrikin named the first Monday of April next.

Mr. Ogle named Monday the 26th instant.

On the question,

Shall this bill be made the order of the day for the first Monday in April next?

The yeas and nays were required by Mr. Emlen and Mr. Mann, and are as follow, viz.

YEAS.

Messrs. Allshouse,  
Duncan,  
Hawkins,  
Hay,  
Kelley,  
King,

NAYS.

Messrs. Andenried,  
Dunlop,  
Emlen,  
Garber,  
Hambright,  
Hamilton,  
Herbert,  
Kitchin,

YEAS.

Messrs. Knight,  
Leech,  
Petrikin,  
Power,  
Ryon,  
Sullivan, 12.

NAYS.

Messrs. Logan,  
Mann,  
Moore,  
Ogle,  
Ray,  
Seltzer,  
Winter  
Mahon, speaker, 16.

So it was determined in the negative.

On the question,

Shall this bill be made the order of the day for Monday the 26th instant.

It was determined in the affirmative.

Adjourned until 10 o'clock, to-morrow morning.

## SATURDAY, February 17, 1827.

Mr. Mann presented the memorial of sundry citizens of Montgomery county, praying for the repeal of the act relating to collateral inheritances, and remonstrating against the construction of the Pennsylvania canal.

Laid on the table.

Mr. Hay presented two petitions of similar tenor, praying for certain alterations in the law regulating the militia.

Which were referred to the committee on the militia system.

Mr. Power from the committee on the subject, on leave given reported bill No. 161, entitled

“An act to aid in improving and repairing the state road between the Allegheny bridge and Beaver bridge.”

Said bill was read the first time.

On motion of Mr. Mann and Mr. Ray,

The Senate resumed the second reading and consideration of the amendments by the house of representatives to resolution No. 104, entitled

“Resolution for the further distribution of the pamphlet laws of this commonwealth.”

The question recurring,

Will the Senate non-concur in the amendments?

It was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Bill No. 122, from the House of Representatives, entitled

“A further supplement to an act regulating hawkers and pedlers,”

Was read a second time.

The same being under consideration,

A motion was made by Mr. Ogle and Mr. Petrikin,  
To postpone the consideration of the bill for the present.  
Which was agreed to.

On motion of Mr. Hambright and Mr. Petrikin,

The Senate resumed the second reading and consideration of  
bill No. 124, entitled

“A supplement to the act, entitled An act authorising the governor to incorporate the Conestogo navigation company.

The first section being under consideration,

A motion was made by Mr. Duncan and Mr. Hambright,  
To amend the same, by adding thereto the following proviso,  
viz

“And provided further, That nothing contained in this section shall be construed to authorise the said Conestogo navigation company, to engage in or carry on directly or indirectly the business of manufacturing of any kind or nature whatsoever.”

Which was agreed to.

A motion was then made by Mr. Dunlop and Mr. Sullivan, further to amend the section by striking out of the fourteenth and fifteenth lines, the following, viz.

“Thereon to raise, repair and erect all such machinery as they may think proper,” and insert in lieu thereof the following, “And repair any mills and machinery already erected as they may think proper.”

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Duncan and Mr. Audenried,  
To postpone the question together with the bill for the present.  
Which was agreed to.

Bill No. 128. from the House of Representatives, entitled

“An act to exempt from taxation the property of the Pennsylvania institution for the deaf and dumb,”

Was read a second time.

The first and only section was considered and agreed to.

The title being under consideration,

A motion was made by Mr. Hay and Mr. Power,  
To postpone the title for the present, for the purpose of introducing the following, to be called section two.

Section 2. And be it further enacted by the authority aforesaid, That the lot of ground and buildings erected thereon, on the west side of Seventh street, in the city of Philadelphia, belonging to the German society, contributing for the relief of distressed Germans in the state of Pennsylvania, shall be and remain free from the payment of taxes as long as the same shall be employed in direct aid and occupation of the said institution.”

On the question,

Will the Senate agree to the motion?



A division of the question was called for by Mr. Dunlop, to end with postponing.

On the question,

Will the Senate agree to postpone the title?

It was determined in the negative.

On the question,

Will the Senate agree to the title?

It was determined in the affirmative.

Ordered, That said bill be prepared for the third reading.

Bill No. 133, entitled

“An act to authorise Samuel Humes, jr. guardian of Fidelia R. Van Dyke. to sell and convey certain real estate.

Was read the second time.

The section, preamble and title, were severally considered and agreed to.

Bill No. 134, entitled

“An act to amend the charter of the borough of York,”

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Herbert and Mr. Winter,

To amend the same in the 7th line, by striking therefrom the word “regulate,” and insert in lieu the word “prevent.”

Which was agreed to.

The section, as amended, together with the title, were then agreed to.

Ordered, that said bills be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hambright in the chair, on bill No. 136, entitled

“An act relating to turnpike roads.”

After some time

The committee rose and the chairman reported the bill negative.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

It was determined in the affirmative.

On motion of Mr. Emlen and Mr. Kerlin,

The Senate resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No. 72, from the House of Representatives, entitled

“An act authorising the sale of the real estate of Andrew Hamilton, deceased.”

After some time,

The committee rose and the chairman reported the bill without amendment.

On motion of Mr. King and Mr. Winter,

The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on bill No 77, entitled

"A supplement to the act, entitled An act to incorporate the Lehigh coal and navigation company," passed 13th February, 1822,

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Seltzer and Mr. Ray,

The Senate resolved itself into a committee of the whole, Mr. Kelcy in the chair, on bill No. 143, entitled

"An act to enable Jacob Lentz and Abraham Lentz, executors of Jacob Lentz, deceased, to sell certain real estate"

After some time,

The committee rose, and the chairman reported the bill with an amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 138, from the House of Representatives, entitled

"An act to authorise the laying out of a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, on Monday morning next.

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## MONDAY, February 19, 1827.

Mr. Ryon presented the petition of sundry citizens of Potter county, praying for the repeal of the act, entitled An act to improve the leading roads in M'Kean and Jefferson counties.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Duncan, presented the memorial of sundry citizens of Philadelphia, praying for certain alterations in the militia law, so far as it affects the 1st brigade of the first division of the militia of this commonwealth.

Which was referred to the committee on the militia system.

Mr. Leech, presented the petition of the trustees of Allegheny college, praying for legislative aid.

Which was laid on the table.

Mr. Sutherland. presented the petition of Kenderton Smith of the county of Philadelphia, praying that his name may be changed to John Stephens Smith.

Which was referred to Messrs Sutherland, Kitchin and Winter.

Mr Sutherland, presented the petition and documents of Israel W. Morris and others, praying for authority to sell and convey certain real estate therein mentioned.

Which were referred to Messrs, Sutherland, Ray and Emlen.

Mr. Sutherland, presented the petition of sundry freeholders in the district of Southwark, praying for the extension of the corporate powers of said district.

Which was referred to Messrs. Sutherland, Duncan and Hay.

The speaker laid before the senate a letter from the committee of arrangement of the Belles Letters Society of Dickinson college, with an invitation to the members of the senate to attend the celebration of the forty fourth anniversary of said society, on Thursday the 22d instant.

Which was read and laid on the table.

The speaker laid before the senate a statement of the affairs of the Philadelphia Saving Fund Society, for the last year.

Which was read as follows, viz.

*State of the Philadelphia Saving Fund Society, January 1, 1827.*

DR.

To amount of deposits, January 1,  
1826,

\$1,161,318 46

To amount of deposits since 1826,

266,844 50

---

\$1,428,162 96

*Deduct*

Deposits returned, to 1st

January, 1826, 647,658 90

Deposits returned since, 226,469 75

---

874,128 65

To balance of interest to credit of depositors,

554,034 31

To balance of profit and loss,

61,350 83

7,070 94

---

\$ 622,456 08

CR.

By the following investments, viz.

In mortgages,	\$ 306,111 59
In real estate,	36,399 41
In a ground rent,	1,175
In United States 6 pr. ct. stock, 44,300	45,529 60
In do. 4½ pr. ct. do. 30,000	29,925
In city 6 pr. ct. stock, 1,600	1,600
In city 5 do. 79,100	80,875 25
In loan to city, for paving streets,	2,973 28
In loan to controllers of public schools,	10,000
In loans on public stocks,	103,329 39
By balance in Commercial Bank of Pennsylvania,	4,537 61
	<hr/>
	\$ 622,456 08
	<hr/>

*To the Honorable the  
Speaker of the Senate of Pennsylvania.*

The undersigned, auditors appointed by the chief justice of the supreme court of Pennsylvania, and by the presidents of the district court, and court of common pleas, for the city and county of Philadelphia, on the 28th day of December, to audit and settle the accounts of the Philadelphia Saving Fund Society, for the year 1826, in conformity to the provisions of the act of assembly, passed on the 15th day of March, 1824, entitled a supplement to the act entitled an act to incorporate the Philadelphia Saving Fund Society, respectfully report:

That they have, at the request of the president and managers of the said society, entered into a full and careful examination of the books, vouchers and securities of the said society, and in conformity thereto, now exhibit a statement of the affairs of the institution, for the year commencing on the 1st January, 1826, and ending on the 31st day of December, 1826, both inclusive.

All of which is respectfully submitted.

C. N. BANCKER,  
CHS. PLEASANTS.

I certify that John Roberts, the other auditor appointed the 28th December, 1826, has been prevented, by indisposition, from attending to the duties of his appointment.

GEORGE BILLINGTON,

*Secretary and Treasurer.*

*Philadelphia, Feb 15, 1827.*

Laid on the table.

The speaker laid before the Senate a letter from the secretary of the commonwealth, which was read as follows ;

## SECRETARY'S OFFICE.

February 19, 1827.

Alexander Mahon, Esquire,  
Speaker of the Senate.

SIR—

I have the honor to inform the Senate, that sundry documents, together with depositions, interrogatories and cross examinations, taken in the case of Alexander C. Phelps, Esq. a justice of the peace of the county of Susquehanna, before William Thomson, Esq. one of the associate judges of the court of common pleas of the said county, have this day been laid before the House of Representatives, pursuant to an act of the general assembly, passed the fourteenth day of January, 1804, entitled an act directing the mode of taking testimony, in cases of complaint against justices of the peace.

I have the honor to be,

Very respectfully,

Your obedient servant,

I. D. BARNARD,

Sec'y of Comm'th.

Laid on the table.

The secretary of the commonwealth being introduced presented three messages from the governor, two of which were accompanied with documents.

Said messages were read as follow:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following Acts of the general assembly, and directed the secretary of the commonwealth to return the same to the houses in which they originated, viz.

No. 129. "A supplement to an act entitled a supplement to an act entitled an act to authorise the governor of this commonwealth to incorporate a company, for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia, passed the 29th day of March, 1824."

No. 139. "An act for the relief of George Huffman, a revolutionary soldier."

No. 120. "An act for the relief of Mary Lemmington and Margaret Blattenberger, widows of revolutionary soldiers."

No. 85. "An act concerning weights and measures."

J. AND W. SHULZE.

Harrisburg, February 17, 1827.

Laid on the table.

*To the Senate and House of Representatives of the Commonwealth  
of Pennsylvania.*

GENTLEMEN—

I have the honor of transmitting to you, a copy of a communication from the Secretary of the Navy of the United States, requesting, in conformity to a resolution of congress, (a copy of which is also sent,) that jurisdiction over such lands as are owned by the United States, and improved for public purposes, at the navy yard, near Philadelphia, may be ceded to the United States by the government of the state of Pennsylvania.

J. ANDW. SHULZE.

*Harrisburg, Feb. 19, 1827.*

NAVY DEPARTMENT,

*February 13, 1827.*

*To his Excellency J. Andw. Shulze,  
Governor of Pennsylvania.*

SIR—

I have the honor to enclose a copy of a joint resolution of the Senate and House of Representatives of the United States, and in compliance therewith, to request, that jurisdiction over such lands as are owned by the United States, and improved for public purposes, at the navy yard, near Philadelphia, may be ceded to the United States, by the government of the state of Pennsylvania.

I am, very respectfully, &c.

SAMUEL L. SOUTHARD.

*Resolution directing the Secretary of the Navy to apply to the  
government of Pennsylvania, for jurisdiction over certain lands  
at the navy yard, Philadelphia.*

Resolved by the Senate and House of Representatives of the United States of America, in congress assembled, That the secretary of the navy be directed to request the government of the state of Pennsylvania, to cede to the United States, jurisdiction over such lands as are owned by the United States, and improved for public purposes, at the navy yard, near Philadelphia.

JOHN W. TAYLOR,

*Speaker of the House of Representatives.*

NATHANIEL MACON,

*President of the Senate, pro tempore.*

Approved 24th January, 1827.

JOHN QUINCY ADAMS.

*To the Senate and House of Representatives of the Commonwealth  
of Pennsylvania.*

GENTLEMEN—

Agreeably to the request contained in the accompanying copy of a letter from the Governor of the state of Georgia, I have the honor

to lay before the legislature, a copy of a report and resolutions of the legislature of that state, relative to the differences between the general government and the state of Georgia, together with sundry printed documents. As one set of the printed documents only has been received, I have directed them to be sent to the Senate, for the use of both Houses.

J. ANDW. SHULZE.

*Harrisburg, February 19, 1827.*

[For the documents accompanying the foregoing message, see "appendix."]

Laid on the table.

On motion of Mr. Duncan and Mr. Knight,

The governor's message and the accompanying documents relating to ceding to the United States jurisdiction over such lands as are owned by the United States, at the navy yard, near Philadelphia, were referred to Messrs. Duncan, Sutherland, King, Hay and Ryon.

Mr Knight, from the committee on roads, bridges and inland navigation, reported bill No. 162, entitled

"An act to incorporate the Pennsylvania and Ohio Canal Company"

Mr. Ray, from the committee on the subject, on leave given reported bill No. 163, entitled

"An act to incorporate the town of Mifflinburg, in Union county."

Mr. Winter, from the committee on the subject, on leave given, reported bill, No 164, entitled

"An act to enable Rosina Jacoby to convey certain real estate, and for other purposes."

Mr. Knight from the committee on roads, bridges and inland navigation, reported bill, No. 165, entitled

"An act to authorise the governor to incorporate the Shippensville and Foxburg turnpike road company."

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 166. "An act to repeal an act establishing a district court in the county of Dauphin."

No. 167. "An act for the establishment of a college at Uniontown, in the county of Fayette."

Said bills were read the first time.

And informed that the House of Representatives insist on the amendments by the House of Representatives, non-concurred in by the senate to the resolution, No. 104, from the senate, "for the further distribution of the pamphlet laws of this commonwealth."

Laid on the table.

Bills numbered and entitled as follow, were severally read the third time and passed.

No 133. "An act to authorize Samuel Humes, junior, guardian of Fidelia R. Van Dyke to sell and convey certain real estate."

No. 134. "An act to amend the charter of the borough of York."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence."

Bill No. 128, from the House of Representatives, entitled  
"An act to exempt from taxation the property of the Pennsylvania Institution for the deaf and dumb."

Was read the third time, and passed.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

Bill No. 72, from the House of Representatives, entitled  
"An act authorising the sale of the real estate of Andrew Hamilton, deceased,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Knight and Mr. Hamilton,

To postpone the consideration of the bill until to-morrow.

Which was agreed to.

Bill No. 77, entitled

"A supplement to the act entitled, An act to incorporate the Lehigh Coal and Navigation Company, passed 13th February, 1822.

Was read the second time, and

Ordered, To be transcribed for the third reading.

Bill No. 138, from the House of Representatives, entitled  
"An act to authorise the laying out of a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county."

Was read the second time, and

Ordered to be prepared for the third reading.

Bill No. 143, entitled

"An act to enable Jacob Lentz and Abraham Lentz, executors of Jacob Lentz, deceased, to sell certain real estate,"

Was read the second time.

The section was considered and agreed to.

The title was considered and agreed to after being amended so as to read,

"An act to enable Abraham Sebolt, surviving trustee, to sell a certain methodist meeting house in Jonestown, Lebanon county."

Ordered, That said bill be transcribed for the third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Emlen in the chair, on resolution No. 144, entitled

"Resolution relative to the repair and preservation of the Cumberland road."



After some time,

The committee rose, and the chairman reported progress, and the committee obtained leave to sit again on to-morrow.

Adjourned until 10 o'clock, to-morrow morning.

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## TUESDAY, February 20, 1827.

Mr. Kerlin obtained leave of absence, for a few days, for Mr. Hunt.

Mr. Hamilton obtained leave of absence for Mr. Hambright, for a few days from to morrow.

Mr. Logan presented the petition of sundry citizens of the counties of Cumberland, York and Adams, praying for legislative aid in erecting a bridge over Yellow breeches creek, on the state road leading from Harrisburg to Gettysburg.

Mr. Sullivan presented the memorial of the Ohio and Pennsylvania Canal Convention, praying for the incorporation of a company for the construction of a canal, from the portage summit of the Ohio, to intersect the Pennsylvania Canal.

Said petition and memorial were laid on the table.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 77. "A supplement to the act entitled an act to incorporate the Lehigh Coal and Navigation Company, passed 13th February, 1827."

No. 143. "An act to enable Abraham Sebolt, surviving trustee, to sell a certain methodist meeting house, in Jonestown, Lebanon county."

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

Bill No. 138 from the House of Representatives, entitled

"An act to authorise the laying out of a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county,"

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

On motion of Mr. Dunlop and Mr. Ogle,

The resolution, read on the 12th instant, proposing to submit the proposition of the construction of the Pennsylvania Canal to the people, at the next general election,

Was read the second time.

On the question,

Will the Senate adopt the resolution?

A motion was made by Mr. Kelley and Mr. Garber,

That the question, together with the resolution, be postponed indefinitely.

On the question,

Will the senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Allshouse, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Knight,	
Duncan,		Leech,	
Emlen,		Moore,	
Garber,		Petrikin,	
Hawkins,		Power,	
Hay,		Ryon,	
Kelley,		Sullivan,	
King,		Sutherland,	12.
Kitchin,			
NAYS.		NAYS.	
Messrs. Dunlop,		Messrs. Mann,	
Hambright,		Ogle,	
Hamilton,		Ray,	
Herbert,		Sturgeon,	
Kerlin,		Winter,	
Logan,		Mahon, speaker,	12.

So it was determined in the affirmative.

A motion was made by Mr. Ogle and Mr. Garber, and read as follows:

Resolved, That the committee on the judiciary system, be instructed to inquire into the expediency of passing a law, authorizing the supreme court to appoint a reporter, with a salary of dollars per annum, to report the decisions of said court, which shall be published within months after they shall be made; and said reporter shall furnish the secretary of the commonwealth with copies for the use of the courts of common pleas within this commonwealth, free of expense.

Laid on the table.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill entitled

No. 168. "An act to incorporate the Franklin Library Company, of Ten Mile, in the county of Washington."

Said bill was read the first time.

Bill No. 72, from the House of Representatives, entitled

"An act authorising the sale of the real estate of Andrew Hamilton, deceased,"

Was read the second time.

The first and only section being under consideration,

A motion was made by Mr. King and Mr. Duncan, To amend the same in the tenth line, by striking therefrom the words "and his heirs," and insert in lieu the following: "or purchasers, and his, her or their heirs or assigns."

Which was agreed to.

The section, as amended, was then agreed to.

The title was considered and agreed to, and

Ordered, That said bill be prepared for the third reading.

Adjourned until 10 o'clock, to-morrow morning.

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## WEDNESDAY, February 21, 1827.

Mr. Duncan presented the remonstrance of sundry members of the fire engine and hose companies of the city and county of Philadelphia, against exempting the members of such companies from the performance of militia duty.

Mr. Emlen presented the remonstrance of the controllers of the public schools for the city and county of Philadelphia, against the passage of the bill entitled, "A supplement to the act entitled an act for the education of children at the public expense, within the city and county of Philadelphia."

Said remonstrances were laid on the table.

Mr. Duncan presented the petition of sundry citizens of Philadelphia, praying for certain alterations in the militia law, so far as it affects the first brigade of the first division of the militia of this commonwealth.

Mr. Hay presented a petition of similar import with the foregoing.

Said petitions were referred to the committee on the militia system.

Mr. Hay presented the petition of sundry citizens of Philadelphia county, praying for the passage of an act to prevent cattle from running at large on the public highways in said county.

Which was referred to the committee on agriculture and domestic manufactures.

Mr. Hay presented the petition of the trustees of the methodist society, in Germantown, praying for authority to sell and convey certain real estate therein mentioned.

Which was referred to Messrs. Hay, Seltzer and Hamilton.

The Speaker laid before the Senate a letter, accompanied with documents, from the Auditor General, which were read as follows, viz.

**AUDITOR GENERAL'S OFFICE,**

*February 21, 1837.*

**SIR—**

In compliance with the provisions of the twelfth section of the act entitled "An act to provide for the commencement of a canal, to be constructed at the expense of the state, and to be styled the Pennsylvania Canal," I transmit to the Senate a report of the settlement of the accounts of the canal commissioners.

I also transmit, at the request of the acting commissioners, a statement of the payments that have been suspended in the settlement of the accounts.

It is proper to state that the payments on the western division, that have been suspended were made in pursuance of instructions from the president of the board to the engineer, previous to the appointment of Abner Lacock as acting commissioner; and that the payments on the eastern section that have been suspended, were partly made in pursuance of instructions from the president of the board to the engineer, previous to the appointment of Charles Mowry as acting commissioner, and partly in pursuance of instructions subsequently received by the acting commissioners from the engineer. But there being no evidence before the accounting officers that the president of the board, or the engineer, had authority from the board to give the instructions, these payments have been suspended until that evidence shall have been produced.

The account settled, and the statement above referred to, show the amount of disbursements in locating and constructing the Pennsylvania canal, up to the 1st of February, 1827.

I also transmit a statement of the amount paid for exploring canal routes the preceding year, and of the sums paid to the canal commissioners respectively, for their expenses in attending the meetings of the board.

I have the honor to be, with great respect, sir, your ob't serv't.

DAVID MANN.

Hon. Alexander Mahon, Speaker of the Senate.

*Report of the statement of the Accounts of the Canal Commissioners.*

DR.		CR.			
1826. July 26.	To amount received by William Clark, treasurer of the board of Canal Commissioners,				50,000 00
Oct. 24.	To do.				50,000 00
Dec. 19.	To do.				25,000 00
1827. Jan. 5.	To do.				35,000 00
By disbursements by Charles Mowry, Esq. Acting Commissioner. Eastern Division, viz :					
Dibble and Brackett, original, Baldwin, Strachan, & Co. sub contractors, section, No 4.		81,301 08			
Murphy and Cowl, original cons. sec. No. 5.			492 00		
Anderson, McNamee, & Co, successors,		1,795 91			
R. and G. Orr, original contractors, sec. No. 6.			12 66		
Isaac M'Cord, successor,			487 40		
O. H. Dibble, contractor. sec's. Nos. 8 and 9,		500 06			
George Barger, contractor, section, No. 10,		8,836 84			
John Ryan, assignee of Barger,		1,586 16			
Isaac M'Cord con. for culvert, on sec. No 11,			662 75		
Ross and M'Fadden, for excavation,			1,057 11		
		1,699 86		15,669 91	
					15,669 91,160,000 00

Carried forward

## REPORT, &amp;c—(Continued.)

Brought forward,				
Hammill and M'Cord, contractors, section, No. 12,		2,898 60		
Isaac M'Cord, do. for culvert,		651 25		
			3,549 85	
Christian Gleim, contractors, section, No. 13,		695 04		
Hodge and Guy, contractor, for lock, No. 2,		708 18		
Beaumont & Co. contractors, section, No. 14,			1,403 22	
Corbett and Hays, contractors, section No. 16,			5,968 45	
Hays and Williams, contractors, section No. 17,			603 43	
John Lafferty, contractor, section, No. 18,		404 59	412 50	
Hodge and Guy, contractors for lock, No. 3,		992 65		
Uriah Wickware, sub contractor, section, No. 19. Midler & Co. original contractors			1,397 24	
Uriah Wickware, contractor, section, No. 20,			1,923 35	
Uriah Wickware, contractor, section, No. 21,			351 04	
M'Laughlin and Bradley, contractors, section, No. 22,			48 00	
Oliver Hartwell, original contractor, section, No. 23, Baldwin Strachan			827 23	
& Co, sub contractors,		274 42		
Edward O'Friel, successor,		496 09		
			770 51	
Midler & Co. original contractors, section No. 24,				
Ira Merrick, sub contractor,			1,157 92	
Beaumont & Co. contractors, section No. 26,			829 60	
Midler & Co. original contractors section, No. 27, Ezra S. Dodd, sub contractor,			1,230 56	
			15,669 91	160,000 00

Anderson M'Namee & Co. contractors for basin on section, No. 28, William and Michael Byrne and A. & P. Provost, contractors for lock No. 4,	2,098 60 1,895 10	3,993 70	
Midler & Co. original contractors, section, No. 29, Charles O'Don- nel, sub contractor, Jonathan Leslie, contractor for lock, No. 5,	690 84 909 71	1,600 42	
Midler & Co. original contractor, section, No. 30, White and Hays sub. contractors, Samuel Pettit, on culvert and turnpike bridge, No. 23, List & Co. on culvert and bridge, No. 23,	2,444 85 2,821 00 1,100 00	5,865 85	
Brackett, Watson and Bowen original contractors section No. 31, Ithamar Spink, sub contractor, Beaumont & Co. contractors on section NO 32, for excavation, Lock, No. 6, Aqueduct, Culvert,	1,374 27 751 53 1,126 40 790 28	1,355 98	
Michael Hallinan, contractor, section No. 33, Lessig and Ely, do. 34, Hodge and Johnson, do. 35, Seymour Scrivell. original contractor, section No. 36, Baldwin, Strachan, & Co. sub.	4,042 43 1,955 46 965 08 242 71		
M'L contractors, section No. 38.	870 40 1,286 98	42,131 31	
Carried forward,		57,801 28	

## REPORT, &amp;c. (Continued.)

Brought forward,					
Hamnill and M'Cord, contractors, section, No. 12,	2,898 60				
Isaac M'Cord, do. for culvert,	651 25				
		3,549 85			
Christian Gleim, contractors, section, No. 13,	695 04				
Hodge and Guy, contractor, for lock, No. 2,	708 18				
		1,403 22			
Beaumont & Co. contractors, section, No. 14,		5,968 45			
Corbett and Hays, contractors, section No. 16,		608 43			
Hays and Williams, contractors, section No. 17,		412 50			
John Lafferty, contractor, section, No. 18,	404 89				
Hodge and Guy, contractors for lock, No. 3,	992 65				
		1,397 24			
Uriah Wickware, sub contractor, section, No. 19. Midler & Co. original contractors		1,923 35			
Uriah Wickware, contractor, section, No. 20,		351 04			
Uriah Wickware, contractor, section, No. 21,		48 00			
M'Laughlin and Bradley, contractors, section, No. 22,		827 23			
Oliver Hartwell, original contractor, section, No. 23, Baldwin Straehan					
& Co. sub contractors,	274 42				
Edward O'Friel, successor,	496 09				
		770 51			
Midler & Co. original contractors, section No. 24,					
Ira Merrick, sub contractor,		1,157 92			
Beaumont & Co. contractors, section No. 26,		829 60			
Midler & Co. original contractors section, No. 27, Ezra S. Dodd, sub contractor,		1,230 56			
			15,669 91	160,000 00	



Anderson M'Namee & Co. contractors for basin on section, No. 28, William and Michael Byrne and A. & P. Provost, contractors for lock No. 4,	2,098 60 1,895 10	3,993 70	
Midler & Co. original contractors, section, No. 29, Charles O'Don- nel, sub contractor, Jonathan Leslie, contractor for lock, No. 5,	690 84 909 58	1,600 42	
Midler & Co. original contractor, section, No. 30, White and Hays sub. contractors, Samuel Pettit, on culvert and turnpike bridge, No. 23, List & Co. on culvert and bridge, No. 23,	2,444 85 2,321 09 1,100 00	5,865 85	
Brackett, Watson and Bowen original contractors section No. 31, Ithamar Spink, sub contractor, Beaumont & Co. contractors on section No 32, for excavation, Lock, No. 6. Aqueduct, Culvert,	1,374 27 751 53 1,126 40 790 23	1,355 38	
Michael Hallman, contractor, section No. 33, Lessig and Ely, do. 34, Hodge and Johnson, do. 35, Seymour Scovell, original contractor, section No. 36, Baldwin, Strachan, & Co. sub. contractors, M'Laughlin & Bradley, contractors, section No. 38.	4,042 43 1,955 46 965 08 242 71 370 40 1,286 98	42,131 31	
Carried forward,		57,801 22	

# REPORT, &c.—(Continued.)

Brought forward,					
Smith & Morrow, original contractors, section No. 39,	409 68				
Philip Smith, successor,	404 56				
Beaumont & co. contractors, section No. 41,		814 24			
Hodge and Johnson, do. 42,		427 36			
Francis Gallagher, original contractor, section No. 43,	627 34	532 66			
J. M'Vey & Hugh Gallagher, successors,	246 40				
Midler & Co. original contractor, section No. 45, George Becker & Co. sub contractors,		873 74			
Beaumont & Co. contractors, section No. 47,		1,143 23			
Bridges—M'Cord, Beaumont and Canfield, contractors for Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12.		1,450 68			
Samuel Holman, contractor for wood work, on No. 23,		350 00			
George W. Sanford, contractor for No. 29, 30, 31, 32, 33, 34 and 35,		125 00			
		140 00		5,856 91	
Engineer Department—William Strickland, Esq. Engineer, salary, viz. From 10th March, 1826, to 10th February, 1827, (11 months) at the rate of \$3,000 per annum,				63,658 13	
Francis W. Rawle, Esq. assistant engineer, 283 days, at 3 dollars per day,		2,750 00			
Sylvester Welsh, Esq. for laying out and marking canal line,		849 00			
Instruments—Frederick A. Heisley and son, for repairs, &c.		99 68			
Miscellaneous.—Zimmerman & Gemberling, painting sign for office,	\$ 2	12 25			
Duck & Wolfersberger, for plank, &c.	44 35				
David M'Coy, for lathes,	17				
					157,801 22
					160,000 00

Feb. 21.

THE SENATE

65

Black & Decker, for ripping stakes, &c. Joseph Black, patterns, &c. &c.	4 22 81	99 16	3,801 09	
Contingent Expenses—Clerk—Frederick W. Leopold, 77½ days, at \$2 per day, Procuring releases along canal routes—John Steinman,		155 00 193 25		
Office Rent.—Peter Keller, from 1st April to 1st October, 1826, John W. Kane, from 1st Oct. 18 6 to 1st April, 1827,	43 60	103 00		
Office Furniture.—Charles H. Schaffert, one desk and drafting boards, Gilbert Burnett, one dozen common and two high chairs, Nicholas Swoyer, one bureau, Oglesby & Pool, sundries,	23 50 12 6 50 8 38	50 38		
Printing.—Cameron & Krause, H. Hamilton, Norvell & Palmer, H. Frick,	83 5 8 25 1 25	97 50		
Stationary.—John Wyeth, sundries, John T. Sullivan, check book, Solomon Sprigman, ledger, journal, &c.	38 30 7 24 50	69 80		
		668 93	67,459 22	160,000 00

Carried forward,



By disbursements by Abner Lacock, acting commissioner on the western division,  
viz.

Peter Collins, contractor, section No. 1, 23, 24 and 79,	590
Buckman, West and Sayer, contractors, sections Nos. 9, 28 and 48,	1,779
David Leech, contractor, sections No. 51, 53, 55, 86 87, 91, and 92,	2,290
Richardson and Thayer, contractors, sections Nos. 2, 6, 37, 40, 54, 60,	6,914
61, 65,	385
Daniel Miller, contractor, section No. 56,	20
Oliver Hartman, do. do. 14,	612
Rossetter & Seely, do. do. 82,	593
Johnson, Mahon, Bressler and M'Manis, contractors, section No. 21,	306
M'Glade, Bradley, Keys, M'Bride & Curry, contractors, sections Nos.	
83, 84, 85,	950
Castle, Rhey, Trout and Trucks, contractors, sections Nos. 33, 34, 52, 88,	2,388
Donaldson, Hasley, Galloway and Wilson, contractors, sections Nos.	
62, 63 and 74,	1,663
Samuel R. Richards, contractor, section, No. 16,	1,439
Bull & Everett, contractors, sections Nos. 11, 32, 38, 71, 72, 75 and 80,	2,800
Andrew Arnold, contractor, sec. No. 3,	866
Barclay & Kennedy, contractors, sections Nos. 56, 57 and 58,	2,941
Stewart Johnson & Blane, contractors, section No. 45,	782
M'Nevin, Diver & Bonner, contractors, section No. 90,	248
Abner H. Polly, contractor, sect. No. 78,	509
Barclay & Chamberlain, do. do. 12,	1,023
Alcott, Dean and West, original contractors, sections Nos. 46, 47, 73,	920

30,200 99

Carried forward,

70,239 16

160,000 00

## REPORT, &amp;c.—(Continued.)

	30,200 99	70,232 16	160,000 00
Brought forward,			
Bull, Sacket & Everett, contractors, section No. 73, sub contractor,	\$75		
M'Far and and Lafferty, sub contractors, section No. 4, original con- tractors for No. 4,	520		
John Keen, sub con. sec. No. 47, original con. sec. No. 4 <sup>o</sup> and 50.	1,338		
Beecher, Spink, Jones & Watson, contractors, sections Nos 8 and 23,	1,581		
Merrill & Dixon, con. sec. No. 13,	1,132		
Castle and Rhey, contractors, sections No. 35, 67 and 68,	527		
John & Patrick Donnel, contractors, sec. No. 29,	121		
Michael M'Dermott, con. sec. No. 32,	261		
Alexander Osborn, con. sec. No. 43,	280		
Keen & Stewart, con. sec. No. 14,	196		
William Bradley, con. sections Nos. 5, 30, 64 and 89,	465		
Philip Cornyn, con. sec. No. 39,	414		
M'Farlin and Vanslike, contractors, sec. No. 19,	170		
Givin and Boyle, con. sec. No. 7,	614		
Martin o'p, con. sec. No. 27,	97		
Barclay and Richards, contractors, sec. No. 15,	868		
Francis Kerns, con. sec. No. 17,	591		
Daniel Washburn, con. sec. No. 10,	1,310		
J. B. and D. K. Cahoon, contractors, sec. No. 81,	1,714		
Riley and Cassidy, contractors, sections Nos. 76 and 77,	1,447		
Martin & Patrick, contractors, sections Nos. 18 and 41,	1,144		
Thomas Neel, con. sec. No. 31,	739		
Freenan Hasebeen, con. sec. No. 39,	274		
George W. Trout, con. sec. No. 42,	344		

Barelay, Kennedy and Barclay, contractors, sections, No. 69 and 70,	912			
William Kennedy, contractor, section No. 26,	90			
Culvert on Section No. 91.—Taylor & Wilson, contractors for stone work,	112			
Lock on Section No. 2.—John Moore, contractor,	400			
Lock on Section No. 1, and Aqueduct across Buffalo creek.—Foster and Bole, contractors,	2,092	12		
Aqueduct across the Allegheny river, at the mouth of the Kiskamethetas. Le Barron & Lothrop, contractors,	1,500		5,106	12
<hr/>				
Engineer Department.—Nathan S. Roberts, Esq. Engineer, salary, viz. From 13th March, 1826, to 13th February, 1827, (11 months) at the rate of \$3,000 per annum,	2,750		51,829	11
James D. Harris, assistant engineer, 242 days services, at \$3 per day,	726			
Instruments.—Purchased by engineer and assistants, viz. Surveyor's chain, measuring line, targets, &c. &c.	49	62½		
Postage.—Paid by engineer and assistant,	74½			
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CONTINGENT EXPENSES.				
Office Rent, &c.—George Beale, 3 months, and candles,	30		3,526	37
John Keen, rent, fuel and candles,	15			
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Office Furniture.—P. Mulvaney, one desk or secretary,	45			
Stationary.—By amount paid to sundry persons for blank books, paper, &c. &c. &c.	6			
	64	25½		
<hr/>				
	115	25½	53,355	48
			70,259	16
			160,000	00
				63

Carried forward,

**REPORT, &c--(Continued.)**

<b>Printing.</b> —John Norvell,				
J. C. Andrews,	6 25			
Jno. M'Farland,	22			
D. and M. M'Clellan,	1 25			
Jno. M. Snowden,	1 50			
Thomas Enoch,	7 00			
	<hr/>			
	59 50			
<b>Clerks.</b> —A. E. Lacoek, 25 days, at \$2,	50			
R. L. Keen, 22 days, at 2,	44			
	<hr/>			
	94			
<b>Miscellaneous.</b> —William Meyrell, painting office sign,	1 50			
	<hr/>			
	250 25½			
<b>Damages amicably adjusted.</b> —Robert M'Corkle, for crop and fences,	21			
John Miller, for do.	30			
John Pollon, for cabin, oven and do.	15			
James Speer, for fences,	18 75			
William Henderson, for do.	14			
	<hr/>			
	98 75			
	<hr/>			
	55,699 48½	70,239 16	160,000 00	
	<hr/>			
	760 00	36,459 48½	126,698 64½	
	<hr/>			
			\$ 3,301 95½	



**NOTE**—Of the above sum of \$160,000 dollars charged to the canal commissioners, Charles Mowry, acting commissioner, eastern division, received \$80,000, and Abner Lacock, acting commissioner, western division, received \$65,000, from the treasurer of the board, leaving in the hands of William Clark, Esq. treasurer of the board, subject to the draft of the canal commissioners, the sum of \$15,000.

*Statement of Payments made by the Acting Commissioners, which have been suspended in the settlement of the account of the canal commissioners, for want of legal vouchers.*

Disbursements by Charles Mowry, acting commissioner, eastern division.

**ENGINEER DEPARTMENT.**

William Strickland, Esq. Engineer, carriage hire,  
personal expenses from 10th March, 1826, to 10th February, 1827,

Francis W. Rawle, Esq. assistant engineer, carriage hire,  
keeping horse,  
personal expenses, from 4th April, 1826, to 31st January, 1827.

Samuel H. Kneass, 251 days services, at \$1 50 per day,  
Paid by William Strickland,

George Merrick, 117 days services, at \$1 00 per day,  
136 do. at 1 50 do.  
Paid by William Strickland,

Carried forward,

109 00	460 35
351 35	
67 37½	
77 00	
296 62½	441 00
370 50	
30 00	406 50
117 00	
204 00	
25 00	346 00
	1,653 85

STATEMENT, &c.--(Continued.)

Brought forward,		
William B. Norris, 114 days services, at \$1 00 per day,	114 00	1,658 85
91 do. at 1 50 do.	136 50	
Paid by William Strickland,	40 00	
		290 50
Emmerson M'Irvine, 44 days services, at \$1 00 per day,	44 00	
121 do at 1 50 do.	181 50	
		225 50
Robert Fairies, 247 days services, at \$1 00 per day,	247 00	
Paid by William Strickland,	20 00	
		267 00
Charles L. Schlatter, 224 days services, at \$1 00 per day,	224 00	
Paid by William Strickland,	26 00	
		250 00
William Rodrigue, 220 days services, at \$1 00 per day,	220 00	
26 do. at 1 50 do.	39 00	
Paid by William Strickland,	25 00	
		284 00
William Groves, superintendant of stone work, 6 1-5 months, at the rate of \$1,200 per annum,		620 00
William Strickland, sundry payments made by him to hands employed,		164 95
Francis W. Rawle, ass't eng'r, do.		92 04
Walter Bell, axe-man, 32 days services, at \$1 00 per day,	32 00	
32 do. at 75 do.	24 00	
Paid by William Strickland,	10 00	
		66 00

W M'Neely, axe-man,

Miscellaneous.—William B. Norris, expenses to Philadelphia and back, for instruments,

Expenses of horse and wagon, paid by him,

do. of hands paid by him,

Thomas Wallace, for use of wagon and two horses, and dearborn and one horse between the 20th May and 15th July, 1826, per bill,

John L. Ayres, for services of horses, wagon and self,

Thomas Wallace, for boarding axe-man,

Contingent Expenses—Nicholas Swoyer, for stove,

William Rodrigue, sundries paid by him,

John W. Kane, cleaning office, &c.

Damages—George Fisher and Samuel Douglass, Esqs. counsel fees,

William M'Clure, stoppage of mill,

John B. Thompson, for copper pipe for conveying water to Boyer's tavern, under bed of canal,

A. Grist, taking down and re-building a stable,

Contractors—Hammil & M'Cord, contractors for section No 12,

Feb. 21,		THE SENATE.		613	
21 75	15 00	3,928 84			
2 79					
5 12					
	29 66				
15 00	131 50				
5 00	20 00	181 16			
13 12					
10 75					
4 87					
400 00			28 74		
100 00					
29 00					
23 50					
				552 50	
				1,440 70	
					9 181 64

Carried forward,

STATEMENT, &c. (Continued.)

Disbursements, by Abner Loeck, Acting Commissioner, Western Division,  
ENGINEER DEPARTMENT.

Nathan S. Roberts, engineer, travelling expenses from New York to Pittsburg,  
do. from Pittsburg to Philadelphia, and back to Pittsburg,  
do. from Pittsburg to Harrisburg, and back to Pittsburg,  
Personal expenses on the line of canal,

James D. Harris, assistant engineer, travelling expenses from Bellefonte to Pittsburg,  
Expenses on the line of canal,

George S. Rhine, assistant engineer, 189 days services, from 7th April to 12th October, 1826, at 82  
Expenses, travelling from Philadelphia to Pittsburg, 20 50  
Expenses on the line of canal, 78 72½

P. F. Brannon, - - chain carrier,  
Thomas Neel, - - do.  
Charles Divine, - - axeman,  
S. R. Roberts, - - chain carrier,  
Charles Sayer, - - do.  
Dennis Scully, - - chain carrier and axeman,  
Emmerson McIlvaine, - - rodman, &c.  
Charles Sayer, - - do.  
John Kelly, - - axeman,  
William B. Roster, jun. - - rodman,

6,131 94

24 99  
60 69  
36 12½  
131 14½

252 95

7 68½  
90 77

98 45½

378 00  
99 22½

477 22½

1 50  
22 12½  
36 00  
4 00  
28 00  
38 00  
177 00  
18 00  
114 50  
175 00

A. E. Lacock,	-	assistant engineer,	119 20	1,160 11½	108 56	2,099 30½
Andrew D. Harris,	-	rodman,	192 54			
Charles Divine,	-	axeman,	12 00			
A. E. Lacock,	-	assistant engineer,	56 10			
Andrew D. Harris,	-	do.	85 15			
John Kelly,	-	axeman and chain carrier,	80 00			
William Sheely,	-	chain carrier, &c.	11 56	2 00	8,291 24½	
Edward O'Donnell,	-	do.	1 00			
Moses Cane,	-	do.	4 00			
Charles Divine,	-	do.	6 00			
George Trucks,	-	axeman,	4 00			
William Sheely,	-	do.	82 00			
Joseph M. Cornell,	-	do.				

*Dr. William Darlington, John Sergeant, David Scott, Thomas Enoch, John Phillips, Charles Mowry, Abner Lacock, Daniel Montgomery and George M. Dallas, Canal Commissioners, in account with the Commonwealth, for exploring routes.*

DR.	To balance on settlement, 13th April, 1826,	
1826, April.	To cash on Governor's warrant,	
Oct.	To do.	
Dec.	To do.	

## NORTHERN ROUTE SURVEY.

**CR.**

**By James Geddes, engineer, 52- days services, at \$8 25,  
Travelling expenses, and stage fare,**

**By William Wilson, principal assistant, 509 days services, \$3 per day, .  
Travelling expenses, and stage fare,**

**By Joseph J. Wallis, assistant, 187 days services, at \$2**

Henry Aphin, 1 month 26 days services,

Henry Reiley, do.

**William W. Clintoek, for services,**

James Iddings, for do.

**Kibenezer Stephens, 2 months 23 days service;**

**John Hughes, 6 months 14 days,**

**John Sloan, 5 months 8 days, do.**

**John H. Murphy, 6 months 19 days**

**A. Woodward, 51 days**

**Incidental expenses of engineer, assistant engineers, hands, &c. &c.**

424 07	10,000 00	5,000 00	3,000 00	18,424 07
				5,562 57

JUNIATA SURVEY.

By Canvass White, engineer, 71 days services, at \$8 25.  
Travelling expenses, and stage fare,

By George T. Olmstead, assistant engineer, 190 days services, at \$4	585 75	653 90
By F. H. Petrie, draftsman, 172 days do.	68 15	760 00
John Warford, jr. surveyor, 82 days do.		258 00
William C. Young, do. 153 days do.		123 00
John Knepler, 2 days services, as axeman,		232 50
John Nicholson, 14 do. do.		1 00
S. C. G. y, 2 months 23 days do.		7 00
A. B. Warford, 3 months 4 days services, as rodman,	13 00 per mo.	37 50
W. M. Roberts, 3 months 4 days do.	do.	41 00
H. Pearson, 3 months 13 days services as chairman,	do.	41 00
A. F. Miller, 3 months 16 days do.	do.	45 50
John Junkins, 2 days,	do.	47 00
J. Keffler, 23 days,	50	11 00
E. Linds y 2 months 6 days do. as axeman;	50	11 50
J. Rose, 2 months 9 days do. as chairman,	13 10 per mo.	29 00
D. H. Richon 1 month 5 days services as rodman,	do.	30 50
do. 4 months 16 days services as axeman	do.	17 00
on this 6 days do. as ass't surveyor, 15 00 per mo.		69 00
15 days do. as cook	13 10 do.	69 25
days services, with team,	3 00 per day.	59 50
Incidental expenses of engineer, assistant engineers, hands, &c. &c.		420 00
		777 90

3,733 03

9,995 60

18,424 07

Carried forward.

CANAL COMMISSIONERS IN ACCOUNT, &c.—(Continued.)

NORTH BRANCH SURV. Y

Brought forward,

By John Bennet, surveyor, for 18 days services, at \$3  
George Newton, for 2 months services as boatman and cook,  
Jacob Morley, 51 days services,  
Lord Jones, 57½ days services carrying chain,  
A. Ingersoll, do.  
Henry Bress, target bearer,  
Incidental expenses of party,

CUMBERLAND AND FRANKLIN SURVEY.

By John Mitchell, surveyor, for 75 days services, at \$3  
Expenses,

Henry Pettit, chief assistant, 27 days services, at \$1 50  
John Peacock, 81 do. 50  
Wm. W. Miles, 37 days services, carrying flag staff, 50  
John Foulk, do carrying chain, 50  
George Showers, 31 do. with wagon and horse,  
James Green, 33 days services carrying chain, 50  
Incidental expenses of party,

FRENCH CREEK AND CONEAUT SURVEY.

By D. B. Douglass, engineer 37 days services at \$ 8 25,  
12 days preparing drafts, at \$8 25  
7 do. attending board, at Phil'a. \$8 25

384 00	9,295 60	18,424 07
27 50		
28 30		
30 62½		
30 62½		
48 78		
168 02½	718 05½	
255 00		
55 50		
15 50		
18 50		
18 50		
49 25		
16 50		
125 22	553 97	
8225 00		
30 10		
8305 25		
99		
57 75		



Travelling expenses and stage fare,		48 50	510 50	957 68	18,424 07
By T. B. Brown, assistant engineer, 24 days services, at \$3		72 00			
do. 36 days making drafts, at \$1 50		54 00			
By Wm. M'Logan, for 24 days services, as flagman, at \$12 per mo.			126 00		
John Wentworth	23 do. axeman, do.		9 60		
Hamilton Miles,	23 do. do. do.		9 20		
Oscar Cullin,	22 do. target bearer, do.		9 20		
Samuel R. Kennedy	22 do. do. do.		20 00		
John Purvey,	23 do. chain carrier, do.		20 10		
Lewis Ward,	23 do. do. do.		9 60		
C. Le Baron,	27 do. asst observer, \$1 50 per day,		9 10		
E. Felton,	24 do. surveyor, do.		40 50		
Incidental expenses of the party,			36 00		
			157 48		
CANAL COMMISSIONER'S EXPENSES.					
By John Sergeant, Esquire,	-		341 25		
R. M. Patterson,	-		109 80		
David Scott,	-		242 78		
Thomas Enoch,	-		225 87		
John Philips,	-		60 00		
Charles Mowry,	-		119 27		
Abner Lacock,	-		246 47		
William Darlington,	-		160 00		
Daniel Montgomery,	-		20 00		
Carried forward,			2,824 02	11,525 30	18,424 07

# CANAL COMMISSIONERS IN ACCOUNT, &c.—(Continued.)

2

JOURNAL OF

Feb. 21,

Brought forward,		21,000	2,824 02	11,525 30	16,494 07
Joseph M'Ilvaine, secretary, one year's salary,					
do. incurred travelling from Phil-		219 91			
larrisburg and Pittsburg,		30 99			
d provisions on canal line, at		49 16			
			1,299 61	2,824 92	
OFFICE EXPENSES.					
By Casey & Lea, 2 blank books, and 1 copy Strickland's Reports,		11 50			
C. Fisher, 7 days attendance on the board,		7 00			
H. S. Lanner, 1 map of Pennsylvania,		5 00			
Joseph M'Ilvaine, office furniture,		17 22		40 71	
By B. Standliffe, for 1 engineer's level, &c. &c.		125 00			
B. B. Caster, 2 triangles and 1 target,		6 12			
W. Davenport, 1 surveying chain,		5 00			
B. Standliffe, repairing instruments,		31 68		167 75	
By William Strickland, for 35 days services, platting and drafting the general					
map and sections of the Pennsylvania Canal routes, December, 1825, at		\$3 50			
do. \$10 per day,		43 65			
do. for materials, including stationary, &c:					
			593 03		

By S. Brown, 7½ days services, copying documents, at \$2	15 00	
By A. F. Smith, 5 do.	10 00	418 05
By Thomas J. and W. C. Carter, carriage hire, bringing report of canal commissioners, in February, 18 6.	30 00	
By H. M. Ilvaine, expenses to Harrisburg, with report of canal commissioners, in December, 1826,	26 00	56 00
		<hr/> 15,032 74
		<hr/> 6,891 83

Balance unaccounted for by the commissioners,

Laid on the table.

On motion of Mr. Ogle and Mr. Mann,

Ordered, That fifteen hundred copies of the above letter and documents be printed in the English, and five hundred in the German language, for the use of the members of the Senate.

Mr. Sullivan, from the committee on the subject, on leave given, reported bill No. 169, entitled

"An act for the relief of the creditors of the Pittsburg and Butler turnpike road."

Said bill was read the first time.

On motion,

Ordered, That Messrs. Mann Petrikin and Kerlin, be a committee to confer with a similar committee of the House of Representatives, if that House should appoint such committee, on the subject of the amendments by the House of Representatives, non-concurred in by the Senate, and insisted on by the House of Representatives, to the resolution, No. 104, entitled

"Resolution for the further distribution of the pamphlet laws of this commonwealth,"

Ordered, That the clerk inform the House of Representatives accordingly.

Bill No. 72, from the House of Representatives, entitled

"An act authorising the sale of the real estate of Andrew Hamilton, deceased,"

Was read the third time.

On the question,  
Shall this bill pass?

A motion was made by Mr. Duncan and Mr. Knight,  
To postpone the question, together with the bill, for the present.

Which was agreed to.

On motion of Mr. Knight and Mr. Duncan,

Bill No. 42, from the House of Representatives, entitled

"An act for the preservation of the records in the office of the deputy surveyor in the county of Washington, and for other purposes,"

Was read the second time, and

Ordered, To be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole,  
Mr. King in the chair, on bill No. 96, from the House of Representatives, entitled

"An act to encourage the destruction of foxes and wild cats."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Wednesday the 28th instant.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kitchen in the chair, on bill No. 81, from the House of Representatives, entitled

"An act to repeal in part an act entitled an act to improve the leading roads in M'Kean and Jefferson counties."

After some time,

The committee rose, and the chairman reported the bill with an amendment.

On motion of Mr. Knight and Mr. Sutherland,

The Senate resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 145, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Knight and Mr. Hawkins,

The rule for going into committee of the whole, being in this case dispensed with, bill No. 151, entitled

"A supplement to an act entitled an act for the promotion of agriculture and domestic manufactures,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

On motion of Mr. Sutherland and Mr. Hay,

The rule for going into committee of the whole, being in this case dispensed with,

Bill No. 159, from the House of Representatives, entitled

"A supplement to the act entitled an act to incorporate the district of Spring Garden,"

Was read the second time, and

Ordered to be prepared for the third reading.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of that House, which was read as follows:

*In the House of Representatives,  
February 21, 1827.*

On motion,

Ordered, That Messrs. Ellis, Shannon and J. Miller, be a committee, to confer with a committee of the Senate, on the amend-

ments to the resolution from the Senate, relative to the further distribution of the pamphlet laws.

Laid on the table.

On motion of Mr. Ogle and Mr. Mann,

Ordered, That the documents accompanying the message of the Governor, transmitted on the 19th instant, relative to the differences between the state of Georgia and the general government, be printed as an appendix to the journal of the present session.

Adjourned until 10 o'clock, to-morrow morning.

## THURSDAY, February 22, 1827.

Mr. Kerlin presented two petitions of similar tenor, praying that the members of the fire engine and hose companies, of the city and county of Philadelphia, may be exempted from the performance of militia duty.

Mr. Hay presented two petitions of similar tenor, and of like import with the foregoing.

Mr. Sutherland presented a petition praying for certain alterations in the militia law, so far as it affects the first brigade, first division, of the militia of this commonwealth.

Said petitions were referred to the committee on the militia system.

Mr. Duncan presented the memorial of the Pennsylvania society for the promotion of internal improvement, praying that the attention of the legislature may be directed to the navigation of the river Delaware.

Mr. Sutherland presented the memorial of sundry merchants, flour factors and citizens of the city and county of Philadelphia, remonstrating against any alteration in the law regulating the inspection of flour in said city and county.

Said memorials were laid on the table.

Mr. Ray presented the petition and documents of John Meisner, of Lycoming county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Bill No. 151, entitled,

"A supplement to an act, entitled an act for the promotion of agriculture and domestic manufactures,"

Was read the third time and passed.

Ordered, That the clerk present the said bil. to the House of Representatives for concurrence.

Bill No. 42 from the House of Representatives, entitled

"An act for the preservation of the records in the office of the deputy surveyor, in the county of Washington, and for other purposes,"

Was read the third time and passed.

Ordered, that the clerk return said bill to the House of Representatives with information, that the senate have passed the same with amendments, in which the concurrence of that House is requested.

Bill No. 159, from the House of Representatives, entitled

"A supplement to an act, entitled an act to incorporate the district of Spring Garden,"

Was read the third time.

On the question,  
Shall this bill pass?

A motion was then made by Mr. Duncan and Mr. Knight,

That the question, together with the bill, be postponed for the present,

Which was agreed to.

Bill No. 81, from the House of Representatives, entitled

"An act to repeal in part, an act entitled an act to improve the leading roads in M'Kean and Jefferson counties,"

Was read the second time; and

Ordered, To be prepared for the third reading.

Bill No. 145, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Knight and Mr. Kitchin,

To postpone the further consideration of the bill until Saturday the twenty-fourth instant.

Which was agreed to.

Adjourned until 10 o'clock, to-morrow morning.

**FRIDAY, February 23, 1827.**

Mr. Seltzer obtained leave of absence, for a few days from to-day.

Mr. Kitchin presented the memorial of sundry citizens of Bucks county, praying for the repeal of the act relating to collateral inheritances, and remonstrating against the construction of the Pennsylvania Canal.

Mr. Hay presented the remonstrance of sundry merchants, flour factors, and citizens of the city and county of Philadelphia, against any alterations in the law regulating the inspection of flour in said city and county.

Said memorial and remonstrance were laid on the table.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of Elizabeth Heaton, reported:

That in deciding this claim, your committee conceive it would be useless and unnecessary to recite the revolutionary services performed by her late husband, James Heaton, who appears to have been a faithful soldier; but inasmuch as they were not performed in Pennsylvania, which has always been considered necessary to entitle the widow to a pension; and as your committee are not aware that any pension has been granted by the legislature of Pennsylvania to the widows of those soldiers who served in other states, they therefore conceive it would be inexpedient to grant the prayer of the petitioner, and therefore offer the following resolution.

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Sturgeon,

The resolution attached to the above report was read the second time, considered and adopted.

Mr. Herbert, from the committee to compare bills and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, viz.

No. 115. "An act granting to John Dickson, of the borough of Erie, a certain lot of ground."

No. 128. "An act to exempt from taxation the property of the Pennsylvania institution for the deaf and dumb."



No. 138. "An act to authorise the laying out of a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county."

Laid on the table.

Mr. Hay, from the committee on the subject, on leave given, reported bill, No. 170, entitled

"A supplement to an act entitled an act to provide for the education of children at the public expense within the city and county of Philadelphia."

Mr. Hay, from the committee on the subject, on leave given reported bill No. 171, entitled

"An act to authorise the trustees of the methodist meeting house, in Germantown, in the county of Philadelphia, to dispose of the same."

Said bills were read the first time.

The secretary of the commonwealth being introduced, presented a message, accompanied with documents, from the governor, which were read as follow, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor to lay before you, agreeably to the request contained in the accompanying letter, a copy of a communication from the board of inspectors of the state penitentiary opposite Pittsburg.

I also have the honor of laying before you, a copy of a report and certain resolutions of the general assembly of the state of Ohio, relative to a proposed amendment to the constitution of the United States, on the subject of the election of president, together with a copy of a letter accompanying the same.

J. ANDW. SHULZE.

*Harrisburg, February 22, 1827.*

*Pittsburg, February 12, 1827.*

*To J. Andw. Schulze, Esq. Governor  
of the Commonwealth of Pennsylvania.*

SIR—

I respectfully enclose for your consideration, a communication from the board of inspectors of the state penitentiary opposite Pittsburg, with a request from the board that you will cause the same or copies thereof to be laid before both houses of the legislature.

I am very respectfully,

Your obedient servant.

A. BRACKENRIDGE  
Secretary Board of Inspectors

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

The board of inspectors of the western state penitentiary, believing that a deep interest is taken in all that concerns an institution whose design is to seclude, punish and reform, the unhappy subjects of criminal convictions; whose buildings and accommodations though yet incomplete, have been acquired at a great expenditure; whose organization has been but recent, and whose operations are yet in a state of partial developement, offer no apology for submitting to the legislature a brief view of its progress and present condition.

Early in the month of May last, the board having been duly constituted and organized, immediately proceeded to select officers for the immediate and effective government of the penitentiary. One principal, one assistant keeper, one clerk, and two physicians, were deemed in the first instance indispensably necessary. The office of second assistant keeper was also created. From motives of economy, this post remains vacant, and is to be filled as soon as an increase of convicts shall render it necessary. With the addition of two or more watchmen, and some subordinate assistants whose duties are yet undefined, it is believed that the existing organization will be sufficient for all the purposes of the government of the penitentiary for a considerable period to come.

In making their appointments, the board has endeavored to procure intelligent, moral and efficient men; and in the allotment of their compensation, the strictest economy has been consulted, compatible with the attainment of individuals of such qualifications. It is anticipated, that as the means of the institution become enlarged, and the duties and responsibilities of these officers become extended, there will be a propriety in affixing a more liberal and equitable compensation.

The board also lost no time in establishing a number of regulations defining the duties of the different officers, and prescribing rules for the government of the prisoners.

A table shewing the names of the officers of the penitentiary, on the first of January, the dates of their appointments, and salaries, will be found annexed. There is also subjoined, an extract from the regulations, shewing the diet and clothing of the prisoners.

Having progressed thus far in these preliminary arrangements, and having also received from the commissioners for building the penitentiary, a part of the necessary furniture, cooking utensils, &c. the board was informed, that on the first of July a portion of the buildings and one section of the cells would be in a condition to be occupied. Accordingly, on that day an interview took place between the two boards; and the state of the work having been examined, the result was, that such parts as were in a condition for occupancy were accepted, and immediately put under the charge of the principal keeper and his assistant. Since that period, convicts have been received from several counties, and considerable progress has been made in the completion of the remaining buildings.

This penitentiary having been contemplated for solitary confinement, without labor, a singular anomaly exists between the sentences of the convicts and their mode of treatment. By the existing laws, hard labor is a component part, and leading feature of the punishment; and under this system it is, that the term of servitude is extended to a longer period than would probably be required under strict solitary confinement. But the board at Pittsburg has not the means, such as work shops and tools, of putting them to employment. Neither, probably, is it at all desired that they should do so, as it is to be presumed the system of solitary confinement is to be exclusively adhered to, and a fair experiment made of its advantages. That this system is well, though expensively, calculated for the safety of society, in the complete seclusion of the convicts; and that it is as well adapted to cherish the hopes of his ultimate reformation, as any that can be devised, there can be no doubt. It must, however, be admitted, that it is still made a question, whether the same effects could not be equally well obtained, by compelling him to labor at some useful occupation, either in solitude, or in small companies, resorting to strict confinement for limited periods, as a severe punishment for the higher grades of crime and when necessary, using it as a means of disciplining and subduing the refractory. He could thus, as is alleged, be compelled in some measure, to render up to society a remuneration for his maintenance and custody.

It is hardly practicable, with the present plan of the penitentiary to carry into effect complete solitary imprisonment, without keeping the criminals continually immured in their respective cells. So strict a course of confinement, continued steadily, for any considerable period of time, would, it is to be feared, occasion a waste of health. Exercise is necessary, and that exercise ought to consist of application to labor or walking within prescribed limits. Yet we have seen that labor is not provided for in this penitentiary; and as to the opportunity of walking, that, under present circumstances, must necessarily be indulged in front of the entire row of cells to which the prisoner may be attached, and is in full view and in hearing of the occupants. To remedy this inconvenience, the board recommends, that separate yards in one or two of the sections, be laid off and walled in, in front of each cell. This improvement can be done at a trifling expense; and if hereafter, even the laboring system should be introduced by the legislature into this penitentiary, these cells thus enclosed or separated, would be peculiarly well adapted to the close confinement of the more refractory and desperate offenders.

In offering these suggestions, which might seem to bring into view the comparative efficacy of solitary confinement, and confinement united with labor, the board does not wish to be understood as venturing to recommend a preference of the latter mode; but, on the contrary, they would be gratified, if the legislature should continue to afford the opportunity of fully testing the value and effects of the strict system of seclusion and confinement, before a plan which seems, in the opinion of many intelli-

gent philanthropists, to promise the most wholesome results in the security of society and reformation of the unhappy victims of vice, should be abandoned forever.

The prisoners received into the penitentiary have remained, generally, in good health, without any remarkable depression or dejection of spirits. Their deportment also, has been orderly and submissive. It is proper to admit, however, that a greater share of exercise and indulgence has been extended to them than can be expected after an increase of the criminal population of the establishment. It may also be mentioned, that in two instances, tools have been provided, and the convicts allowed to work at their trades, with beneficial results. So far, the conduct of every convict has been exemplary.

The board has not been able, yet, to fix, satisfactorily, the cost of the clothing, fuel and provisions of the convicts. It is their desire to reduce these items to the most economical standard, and to render the burthen on the counties as light as possible. They do not, therefore, at present, venture to furnish any statement of these items, but they undertake to assert, that the cost of maintenance, at this penitentiary, will be considerably less than what has been charged at Philadelphia.

By the act of last session, the sum of two thousand dollars was appropriated for the government of the penitentiary. This sum has been partly expended, and the balance on hand will not be adequate for the ensuing year. An additional appropriation is indispensably necessary. It is also to be hoped that the legislature will establish, as soon as possible, some permanent system by which the annual expenses of the government of the penitentiary may be provided. In granting the two thousand dollars, the legislature would seem to have expected this sum to be repaid by the counties, yet with great deference, we know of no law or practice by which the counties can be required to support this expense. How the government of the Philadelphia prison is paid for, we do not exactly know; we have not found any item of this description charged in their accounts with the counties. How then are we to exact from the western counties any other charges than those necessary to the maintenance, clothing and fuel of their convicts? From the 1st to the 31st July there was no prisoner in the penitentiary. What county is to bear the expense of that month? From the 31st July to the 27th August, there was but one prisoner. Is the whole cost of the government of the penitentiary for that time, at the rate of 1500 to 2000 dollars a year, to be charged to that convict, in addition to his maintenance? Surely this is unreasonable; and yet if the counties are to bear the burthen, such a result is inevitable. This could not have been the intention of the legislature. It is therefore only necessary to point out the circumstance, to induce them to provide for it. The board, therefore, confidently trusts that the legislature, regarding this penitentiary as what its name imports it to be, a *state penitentiary*, and its government a state care, a state expense, will provide the necessary funds, out of the state trea-

sure, until, at least, they shall have prescribed some practicable and equitable mode of assessing the expense upon the counties, if by the counties it is to be borne. In either case, legislation is requisite; and if the western penitentiary is to look to the counties for the support of its government, this board sees no mode more equitable than assessing the amount annually or semi-annually, pro rata, in proportion to population or taxation, upon all the counties of the district, whether they have convicts in the penitentiary or not. Those counties who fortunately have no convicts to support, ought not to complain. They ought and surely will be satisfied with that blessing, and not be disposed to question the justice of a law which shall require them to contribute towards the preservation, organization and government of an institution which may be considered in the light of a common stock, and at all times ready for their use. If this plan be not approved, then none other worthy the dignity and justice of the state, suggests itself than that first proposed.

With these views, the result of as much examination as the board can spare to this subject, and of limited experience, the condition of the western state penitentiary is respectfully submitted to the wisdom of the legislature.

JOHN DARRAGH, *President.*

A. BRACKENRIDGE, *Secretary.*

February 8, 1827.

*List of convicts received in the Western Penitentiary, from the 1st July, 1826, to 1st January, 1827.*

Names.	County.	Sex.	When received. 1826,	Crime.	Length of sentence.
James Young,	Allegheny,	Male,	July 31,	Larceny,	1 year.
Henry Lang,	Huntingdon,	do.	Aug. 27,	do.	18 mos.
Samuel Bowers,	Westmoreland,	do.	Sept. 5,	do.	2 yrs.
James Dougherty,	do.	do.	do.	do.	do.
John King,	Bedford,	do.	Sept. 6,	do.	do.
Maria Penrose,	do.	Female,	do.	do.	15 mos.
Frederick Marker,	Somerset,	Male,	Sept. 14.	do.	1 year.
Peter Atherton,	Washington,	do.	Oct. 4,	do.	do.
Joseph Mills,	Westmoreland,	do.	Dec. 6,	do.	9 mos.
Vechel Stevens,	Venango,	do.	Dec. 12,	do.	5 yrs.

*Received subsequent to 1st January, 1827.*

Jonathan Robeson,	Beaver,	Male,	Jan. 22,	Malicious mischief,	5 yrs.
Jesse Strait,	Bedford,	do.	Jan. 29,	Larceny,	2 do

*List of officers of the Penitentiary, and their compensation, up to  
1st January, 1827.*

Names.	Office.	Salary per ann.	Commencement of service and salary.	Am't of sal'y. to 1st Jan. 1827, inclu- sive.
John Hannan, principal,		\$550 & fuel, and light.	July 1, 1826.	\$ 275 00
Thos. Baird, clerk,		\$400 & do.	do.	200 00
Wm. Cochran, 1st ass't.		400 & do.	Aug. 1.	166 67
2d do,		\$50 & do.	not employed.	
Wm. F. Irwin, physician,		100	Sept. 7, 1826, }	62 78
Wm. H. Denny, do.		100		
<hr/>				<hr/>
\$ 1,900				\$ 704 45

*Extract from the Regulations of the State Penitentiary, opposite  
Pittsburg.*

**CLOTHING.**

**MEN**—*Summer*—Coarse linen shirts, trowsers and roundabouts,  
wool hat.

*Winter*—Woollen or linsey roundabouts, trowsers, and  
shirt of tow linen.

**WOMEN**—Of the same materials.

**DIET.**

*Sunday*—One pound of bread and one pound of coarse meat  
made into broth.

*Monday*—One quart of Indian meal made into mush, with one-  
fourth pint of molasses.

*Tuesday*—One pound of bread, and one quart of potatoes.

*Wednesday*—One pound of bread, and one pound of coarse  
meat, made into broth.

*Thursday*—One pound of bread, and one quart of potatoes.

*Friday*—One quart of Indian meal, made into mush, and one-  
fourth pint of molasses.

*Saturday*—One pound of bread, and one quart of potatoes.

*Resolutions of the general assembly of the state of Ohio, proposing  
an amendment to the constitution of the United States, relative  
to the election of electors of president of the United States.*

The select committee, to whom was referred the communica-  
tion of the governor of the state of Georgia, of the 20th December,  
18 6, recommending an amendment to the constitution of the  
United States, and also the resolution of the Senate on that sub-  
ject, have had the same under consideration, and ask leave to re-  
port: That in the opinion of your committee, frequent changes in  
the fundamental law of any community, are unwise and injurious,  
and should not be attempted for slight and trivial causes: but when

we are called upon to give our assent to a proposition to change the federal constitution—one conceived in the most profound political wisdom; one that has secured to these United States, both civil and religious liberty in their fullest enjoyment; that has given to us a succession of presidents, equally illustrious for their talents and their patriotism, under whose guidance and protection, we have become a great, powerful and happy nation. A sense of duty to ourselves and our posterity, forbid the hazard of all those blessings on an untried experiment. But should a constitutional majority of the states composing this Union, or of Congress, deem it advisable so to amend the constitution of the United States, as to prevent the election of president, in any event, from devolving on the House of Representatives, your committee recommend, that it be made on the basis of political justice, the voice of the free white male citizens of the United States: Therefore

Resolved by the General Assembly of the State of Ohio, That in that event, our senators in congress, be instructed, and our representatives requested, to use their endeavors to procure such an amendment of the constitution of the United States, as will authorize all free white male citizens of the United States, of the age of twenty-one years, to vote directly for president of the United States; and at the same time, to vote for as many electors, as the state may be entitled to have senators and representatives in congress; which electors shall, in case no candidate shall have a majority of all the votes given by the free white male citizens of the United States, of the age of twenty-one years, proceed forthwith, to elect a president, from the two persons having the highest number of votes.

Resolved, That his excellency the governor, be requested to forward a copy of the foregoing preamble and resolution, to the president of the Senate, and speaker of the House of Representatives of the United States, and a copy to each of our senators and representatives in congress; and also a copy to each of the governors of the several states.

EDWARD KING,

*Speaker of the House of Representatives.*

A. SHEPHERD,

*Speaker of the Senate.*

January 30, 1827.

*Secretary of State's Office,*

*Columbus, Ohio, Feb. 7, 1827.*

I certify the foregoing to be a correct copy of the original remaining on file in this office.

JER. M'LENE,

*Secretary of State.*



Columbus, Ohio, Feb. 5, 1827.

By command of his excellency Governor Trimble, I have the honor to transmit the foregoing report and resolution of the general assembly of this state.

And have the honor to be,

With the most profound respect,

Your obedient humble servant,

JER. M'LENE.

*His Excellency, the Governor  
of the state of Pennsylvania.*

Laid on the table.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill entitled

No. 172. "An act to improve the Norwegian creek, in Schuylkill county."

Said bill was read the first time.

He also returned the bills entitled,

No. 17. "A further supplement to the act entitled an act to raise and collect county rates and levies."

No. 10. "An act authorising Jacob Zook, trustee of the Great Valley Ominist Society, in Chester county, to sell and convey a certain real estate therein mentioned."

No. 38, "An act for the appointment of an inspector of pot and pearl ashes, for the port of Philadelphia, and for regulating the inspection of the same."

No. 5. "An act authorising the sale and conveyance of the right of the heirs of George Taylor, to a tract of land in Washington county."

No. 7. "An act to authorise the making of an index to the road dockets, in the office of the clerk of the court of quarter sessions of Lancaster county."

No. 30. "An act authorising the laying out a state road in Beaver and Mercer counties, and also in Beaver and Allegheny counties."

No. 92. "An act to make valid certain acts of Charles Deshler, a justice of the peace."

No. 50. "An act to empower John Miles and Joseph Miles, surviving executors of Samuel Miles, late of Montgomery county, deceased, to sell and convey certain real estate therein mentioned."

And informed that the House of Representatives have passed the first two without, and the last six with amendments, in which the concurrence of the Senate is requested.

On motion,

Said amendments were twice read, considered and concurred in, excepting the amendments to bill No. 5, which were committed to the committee on the judiciary system.



Ordered, That the Clerk inform the House of Representatives accordingly.

Bill No. 81, from the House of Representatives, entitled

"An act to repeal in part an act entitled an act to improve the leading roads in M'Kean and Jefferson counties,"

Was read the third time and passed.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives have concurred in the amendment by the Senate, to the bill No. 81, entitled

"An act to repeal in part an act entitled an act to improve the leading roads in M'Kean and Jefferson counties."

Laid on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No. 59, entitled

"An act establishing an academy in the town of Milford, in the county of Pike."

After some time,

The committee rose and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Logan in the chair, on bill No. 153, entitled

"An act relative to the western penitentiary."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ray and Mr. Ryon,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 163, entitled

"An act to incorporate the town of Mifflinburg, in Union county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Garber and Mr. Petrikin,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 126, from the House of Representatives, entitled

"An act granting a sum of money for improving the navigation of the Tuscarora creek, in Mifflin county."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Friday, the 2d day of March next.

Adjourned until 10 o'clock, to-morrow morning.

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## SATURDAY, February 24, 1827.

Mr. Petrikin asked and obtained leave of absence for Mr. Hamilton, for a few days from Monday next.

Mr. Garber presented the petition and documents of John Bartlet, of Huntingdon county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Mr. Dunlop presented a petition, praying for the passage of a law making the turnpikes from Philadelphia to Pittsburg free of toll.

Which was laid on the table.

Mr. Dunlop presented the petition of sundry citizens of Shippenburg township, Cumberland county, praying that said township may be annexed to Franklin county.

Which was referred to Messrs. Dunlop, Herbert and Sturgeon.

Mr. Mann presented the petition of sundry citizens of Montgomery, praying for the passage of a law, to authorise the courts of common pleas to permit trustees to resign their trusts, and to appoint other trustees in their places.

Which was referred to Messrs. Mann, Kerlin and Allshouse.

Mr. Dunlop presented the petition of sundry stockholders in the Chambersburg and Bedford turnpike road, praying for the repeal of the supplement to their act of incorporation, passed at the last session of the legislature.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Duncan presented two petitions, of similar tenor, praying that the members of the fire engine and hose companies, in the city

and county of Philadelphia, may be exempted from the performance of militia duty.

Which was referred to the committee on the militia system.

The secretary of the commonwealth being introduced, presented a message from the governor, which was read as follows:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following Acts of the general assembly, and directed the secretary of the commonwealth to return the same to the House of Representatives, in which they originated, viz.

No 138. "An act to authorise the laying out of a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county."

No. 115. "An act granting to John Dickson, of the borough of Erie, a certain lot of ground."

No. 124. "An act to exempt from taxation the property of the Pennsylvania Institution for the deaf and dumb."

J. ANDW. SHULZE.

*Harrisburg, February 23, 1827.*

Laid on the table.

Mr. Mann, from the committee of conference, appointed on the subject of the disagreement of the two Houses to the amendments made by the House of Representatives non-concurred in by the Senate, and insisted on by the House of Representatives, to the resolution from the Senate, entitled "Resolution for the further distribution of the pamphlet laws of this commonwealth," recommend to their respective houses the adoption of the following amendments to the amendments made by the House of Representatives, viz.

*First amendment.*—In the 4th line, strike out the following, "bound in leather may" and insert in lieu as follows, "half bound shall upon payment of fifty cents."

In the 15th line, strike out words "bound in leather" and insert these words, "half bound,"

In the 16th line, strike out the words "a price," and insert in lieu thereof "the price fifty cents."

In the 16th and 17th lines, strike out as follows, "sufficient to defray the expenses of," and insert the word "for."

In the 21st line, strike out the words "one thousand," and insert in lieu the following, "as aforesaid, five hundred."

**Second amendment.**—Make it read as follows, viz: "And be it further resolved, That upon the receipt of the said copies of the laws, by each county treasurer, he shall give notice thereof in one newspaper printed in the place nearest his residence, and shall, on being applied to, deliver the copies to the persons who have subscribed for the same. And the county treasurers, respectively, shall, on or before the second Tuesday of December, in each year, render an account, under oath or affirmation, to the auditor general, of the number of copies of the laws distributed by them, in conformity hereto, and pay over to the state treasurer all moneys received by them respectively, from the sales thereof, deducting therefrom a commission of five per cent. and the costs of publication."

On motion,

Said report was read the second time, considered and adopted.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Hawkins, from the judiciary committee, to whom was referred the amendment by the House of Representatives to bill No 5, on Senate file, entitled "An act authorising the sale and conveyance of the right of the heirs of George Taylor, to a tract of land, in Washington county," reported:

That they have carefully examined the petition and documents in favor of the proposed amendment, and have ascertained the facts to be, that a certain Daniel Bumgarner, some time in the spring of one thousand eight hundred and nine, left his family, with the intention of going to the western country to make a payment for land he had previously purchased; that the said Daniel Bumgarner has never since his departure been heard from, with a statement of the belief of the petitioner, verified upon oath, that he is dead; that the said Daniel at the time of going away was the owner of a tract of land, situate in Northumberland county, in this state, containing one hundred acres, upon which the wife and children of said Bumgarner have principally resided since his departure, and praying for the passage of a law either authorising the sale or partition of the property, so as to divest the title of said Daniel Bumgarner thereto, if living.

Your committee look upon this amendment as a matter of serious concern, not only as it respects the rights of the individual to be effected by it, but as it regards the constitutional powers of the legislature.

The proposition presents the naked question whether an absence of eighteen years furnishes of itself such ground as would justify the legislature in giving the property of A. to B. Your committee are aware that a great deal of comity is extended to members having the care of bills of a private and local character, and that the rights of individuals are sometimes incautiously overlooked if not

jeopardised by acts of the legislature. Your committee, governed by no other feeling than a sense of duty, have no hesitation in giving it as their opinion, that the adoption of the amendment proposed, would be unwarrantable and manifestly improper.

What are the circumstances of the case? It is said that Bumgarner has been absent since the year 1809, and that he has not been heard from since. Will it be said that this furnishes legal presumption of death? If it does, the committee would observe, that his family can avail themselves of that presumption in a court of law; but if it does not, would the legislature pass a law which would have a retrospective effect upon his legal rights, and divest him of his interest in his farm? But your committee will suppose, for sake of argument, that they have the power to do so, why should it be done in this instance? Not because he is dead, for we have no proof of that fact; not because he had deserted his family, for it would seem he went away for the avowed purpose of attending to business in another state; not for the commission of any crime, for none is alleged against him; but on account of a casual absence, the cause of which is unknown to his family: Besides, the family are now, and have been ever since his departure, in the occupancy and enjoyment of his property. Would it be right to strip him of his title? Would it be consistent with our duty to say to a citizen of this commonwealth, sir, you have been absent from your family (from some cause, whether necessary or unnecessary) and we, the legislature of Pennsylvania, have taken your property from you and given it to your family. Viewing this as the true state of the case, your committee earnestly recommend the rejection of the amendment.

Laid on the table.

On motion of Mr. Hawkins and Mr. Kelley,

The Senate non-concurred in the amendments by the House of Representatives, to said bill, No. 5.

Ordered, That the clerk inform the House of Representatives accordingly.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow:

No. 73. "An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war."

No. 174. "An act to endow the House of Refuge, and for other purposes therein mentioned."

No. 175. "Resolution relative to the further distribution of the laws."

Said bills were read the first time.

And gave further information, that the House of Representatives have concurred in the amendment by the Senate to the bill No. 42, entitled "An act for the preservation of the records in

the office of the deputy surveyor in the county of Washington, and for other purposes," with amendments, in which the concurrence of the Senate is requested.

On motion,

The amendments to the amendment were read the second time, considered and concurred in.

Ordered. That the Clerk inform the House of Representatives accordingly.

And that the House of Representatives have adopted the report of the committee of conference, appointed on the subject of the amendments by the House of Representatives, non-concurred in by the Senate, to the resolution from the Senate, No 104, relative to the further distribution of the pamphlet laws of this commonwealth.

Laid on the table.

The Senate resumed the second reading and consideration of bill No 145, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth."

The first section was considered and agreed to.

On the question,

Will the Senate agree to the second section?

A motion was made by Mr. King and Mr. Hawkins,

To postpone the question, and that the bill be committed to the committee on the judiciary system.

Which was agreed to.

Bill No. 39, from the House of Representatives, entitled

"An act establishing an academy in the town of Milford, in the county of Pike,"

Was read the second time, and

Ordered, To be prepared for the third reading.

Bill No. 158, entitled

"An act relative to the western penitentiary,"

Was read the second time.

The first section was agreed to.

The second section being under consideration,

A motion was made by Mr. Knight and Mr. Hamilton,

To amend the same, by adding thereto the following: "Provided that such expenses shall not hereafter exceed twenty dollars per annum."

On the question,

Will the Senate agree to the amendment?

A motion was made by Mr. Kelley and Mr. King,

To amend the amendment, by striking therefrom the word "twenty," and inserting in lieu "thirty."

Which was not agreed to.

The question recurring,

Will the Senate agree to the amendment?

It was determined in the negative.

The second section was then agreed to.

The title was agreed to, after being amended so as to read,  
"an act relative to the Eastern and Western penitentiaries."

Bill No. 163, entitled

"An act to incorporate the town of Mifflinburg, in Union county,"

Was read the second time.

The sections and title were severally considered and agreed to  
Ordered, That said bill be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Power in the chair, on bill No. 156, entitled

"An act for the relief of Elizabeth Bison, widow of Charles Bison, a soldier of the revolution."

After some time,

The committee rose and the chairman reported the bill with an amendment.

On motion of Mr. Mann and Mr. Allshouse,

Said bill was read the second time, and

Ordered, To be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Petrikin in the chair, on bill No. 157, entitled

"A supplement to the act entitled an act establishing an academy in the borough of Northampton, in Lehigh county, and granting a sum of money thereto."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ray in the chair, on bill No. 160, from the House of Representatives, entitled

"An act for the relief of sundry brigade inspectors."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Petrikin and Mr. Garber,

That the committee of the whole be discharged from the fur-

ther consideration of the bill, and that it be committed to the committee on the militia system.

Which was agreed to.

On motion of Mr. Sutherland and Mr. Hay,

The Senate resolved itself into a committee of the whole, Mr. Ray in the chair, on bill No. 78, entitled

"An act to exempt a certain grave yard, in the township of Moyamensing, in the county of Philadelphia, from taxation."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Audenried and Mr. Emlen,

The Senate resolved itself into a committee of the whole, Mr. Sullivan in the chair, on bill No. 121, entitled

"An act to provide a fund in support of a general system of education in Pennsylvania."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Friday, the 2d of March next.

On motion of Mr. Garber and Mr. Ray,

The Senate resolved itself into a committee of the whole, Mr. Sturgeon in the chair, on bill No. 130, from the House of Representatives, entitled

"An act declaring certain creeks within this commonwealth, public highways."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Monday next.

Adjourned until 10 o'clock, on Monday morning next.



**MONDAY, February 26, 1827.**

Mr. Mann presented a memorial, praying for the repeal of the law relating to collateral inheritances, and remonstrating against the construction of the Pennsylvania Canal.

Mr. Duncan presented the petition of the president and directors of the Pennsylvania academy of fine arts, praying that the property of the said academy may be exempted from taxation.

Said memorial and petition were laid on the table.

Mr. Leech presented the petition of the heirs of Hugh Forster, late of Mercer county, deceased, a soldier of the revolution, praying for relief.

Which was referred to the committee on claims.

Mr. Power presented the petition of the rector, church wardens and vestry men of the Episcopal church of St. Paul's, in Ohio township, Beaver county, praying for an act of incorporation.

Mr. Sullivan presented the petition of a committee of the associate reformed synod of the west, praying for an act of incorporation, under the name of "the theological seminary of the associate reformed synod of the west."

Said petitions were referred to the committee on education.

Mr. Ogle presented a petition, praying for the passage of an act declaring the turnpike roads from Philadelphia to Pittsburg free of toll.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Ogle presented the petition and documents of Daniel W. Clark, of Bedford county, praying to be divorced from the bonds of matrimony.

Which were referred to the committee on vice and immorality.

The Speaker laid before the Senate a letter from the secretary of the commonwealth, which was read as follows:

/      **SECRETARY'S OFFICE.**

February 26, 1827.

*Alexander Mahon, Esquire,*  
*Speaker of the Senate.*

SIR—I have the honor to inform the Senate, that sundry documents, together with depositions, interrogatories and cross exami-

inations, taken in the case of John Gray, Esq. a justice of the peace of Cumberland county, before John Reed, Esq. president and judge of the court of common pleas of the ninth judicial district of this commonwealth, composed of the counties of Cumberland, Adams and Perry, have this day been laid before the House of Representatives, pursuant to an act of the general Assembly, passed the 14th day of January, 1804, entitled "An act directing the mode of taking testimony in cases of complaint against justices of the peace.

I have the honor to be,

Very respectfully,

Your obedient servant,

I. D. BARNARD,

*Sec'y of Comm'lth.*

Laid on the table.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives recede from the amendments non-concurred in by the Senate, to the bill from the Senate, No. 5, entitled

"An act authorising the sale and conveyance of the right of the heirs of George Taylor to a tract of land in Washington county."

Laid on the table.

Mr. Dunlop, from the committee on the subject, on leave given, reported bill No. 176, entitled

"An act annexing part of Cumberland county to Franklin."

Said bill was read the first time.

Mr. Herbert, from the committee to compare bills and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, viz.

No. 10. "An act authorising Jacob Zook, trustee of the Great Valley Ominist Society, in Chester county, to sell and convey a certain real estate."

No. 17. "A further supplement to the act entitled an act to raise and collect county rates and levies."

No. 28. "An act for the appointment of an inspector of pot and pearl ashes for the port of Philadelphia, and for regulating the inspection of the same."

No. 32. "An act to make valid certain acts of Charles Deshler and James Keenan, justices of the peace, and Charles Ghandler, a constable."

No. 50. "An act to empower John Miles and Joseph Miles, surviving executors of Samuel Miles, late of Montgomery county, deceased, to sell and convey certain real estate therein mentioned; and also to authorise John Fritz, guardian of Samuel James and William Sands, minors, under the age of fourteen years, to execute and deliver a deed for a house and lot of land in Pottstown."

No. 42. "An act for the preservation of the records in the office of the deputy surveyor, in the county of Washington, and for other purposes."

No. 81. "An act to repeal in part an act entitled an act to improve the leading roads in M<sup>c</sup>Kean and Jefferson counties."

Laid on the table.

Bill No. 59, from the House of Representatives, entitled  
"An act to establish an academy in the town of Milford, in the county of Pike,"

Was read the third time, and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 153. "An act relative to the Eastern and Western penitentiaries."

No. 156. "An act for the relief of Elizabeth Bison, widow of Charles Bison, a soldier of the revolution."

No. 163. "An act to incorporate the town of Mifflinburg, in Union county."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

Bill No 157, entitled

"A supplement to the act entitled an act establishing an academy in the borough of Northampton, in Lehigh county, and granting a sum of money thereto,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

Bill No. 78, entitled

"An act to exempt a certain grave yard, in the township of Moyamensing, in the county of Philadelphia, from taxation,"

Was read the second time, considered and negatived.

On motion of Mr. Hawkins and Mr. Kelley,  
The Senate resumed the second reading and consideration of bill No. 90, entitled

"An act for the protection of sureties in certain cases."

The question recurring.

Shall this bill be transcribed for the third reading?

A motion was made by Mr. Dunlop and Mr. Knight,  
To postpone the question, together with the bill, until to-morrow.  
Which was agreed to.

Agreeably to order,

The senate again resolved itself into a committee of the whole,  
Mr Sturgeon in the chair, on bill No. 130, from the House of Representatives entitled,

"An act declaring certain creeks within this commonwealth public highways."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 79, entitled

"An act for the relief of Connecticut settlers."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Knight and Mr. Kitchin,

To discharge the committee of the whole from the further consideration of the bill, and that it be committed to the committee on the judiciary system.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Seltzer in the chair, on resolution No. 88, from the House of Representatives, entitled

"Resolution relative to the report of the commissioners appointed to revise the penal code."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Thursday, the first of March next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on bill No. 163, entitled

"An act to authorise the governor to incorporate the Shippensburg and Foxbury turnpike road company."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, to-morrow morning.

**TUESDAY, February 27, 1827.**

Mr. Duncan presented the petition of sundry members of fire engine and hose companies, praying for the passage of a law exempting the members of said companies, in the city and county of Philadelphia, from the performance of militia duty.

Mr. Duncan presented two petitions, of similar tenor, praying for certain alterations in the militia law, so far as it regards the first brigade, first division, of the militia of this commonwealth.

Mr. Hay presented a petition of similar import with the foregoing.

Said petitions were referred to the committee on the judiciary system.

Mr. Hay presented the remonstrance of sundry merchants, flour factors, and other citizens of the city and county of Philadelphia, against any alterations in the law regulating the inspection of flour in said city and county.

Mr. Kelley presented the remonstrance of sundry citizens of Jefferson county, against the repeal of the act of last session, entitled an act for the improvement of the leading roads in M'Kean and Jefferson counties.

Said remonstrances were laid on the table.

Mr. Seltzer presented the petition of the Dauphin and Susquehanna coal company, praying for the passage of a law authorising said company to make stoney creek, in Dauphin county, a slack water navigation, from its mouth to the coal beds on said creek.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. King presented the petition and documents of John Shuler, of Lehigh county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

The Clerk of the House of Representatives being introduced, returned the bill, No. 8, entitled

“An act establishing the rates of ferriage at Greensburg, Greene county.”

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

Mr. Emlen, from the committee on banks, reported bill No. 177, entitled

"An act to revoke the charter of the Northern Bank of Pennsylvania."

Mr. Ogle, from the committee on the militia system, reported bill No. 178, entitled

"A further supplement to the act entitled an act for the regulation of the militia of this commonwealth."

Said bill was read the first time.

Mr. Duncan read in his place, and on leave given, presented to the chair, bill No. 179, entitled

"A further supplement to the act entitled an act for the better confirmation of the estates of persons holding or claiming under feme coverts, and for establishing a mode in which husband and wife may hereafter convey their estates."

Said bill was read the first time, and

On motion of Mr. Duncan and Mr. Knight,

Was committed to the committee on the judiciary system.

Mr. Kitchin, from the committee on education, reported bill No. 180, entitled

"An act to incorporate the minister, church wardens, and vestrymen of the Episcopal church of St. Paul's, in Beaver county."

Said bill was read the first time.

On motion of Mr. Hay and Mr. Power,

The Senate resumed the third reading of bill No. 159, from the House of Representatives entitled

"A supplement to an act entitled, An act to incorporate the district of Spring Garden."

The question recurring.

Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

Bill No. 157, entitled

"A supplement to the act entitled, An act establishing an academy in the borough of Northampton, in Lehigh county, and granting a sum of money thereto,"

Was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Knight and Mr. Logan,

The resolution attached to the report of the committee on roads, bridges and inland navigation, relative to incorporating a company to improve the navigation of the Tioga river,

Was read the second time, considered and adopted,

On motion of Mr. Knight and Mr. Logan,

The resolution attached to the report of the Committee on roads, bridges and inland navigation, relative to the petition of the Abington and Waterford turnpike road company, was read the second time, considered and adopted.

The Senate resumed the second reading and consideration of bill No. 90, entitled

“An act for the protection of sureties in certain cases.”

The question recurring,

Shall this bill be transcribed for the third reading?

A motion was made by Mr. Dunlop and Mr. Logan,

To postpone the question for the present, and that the Senate again resolve itself into a committee of the whole, on said bill, for the purpose of general amendment.

Which was agreed to.

Whereupon,

The Senate again resolved itself into a committee of the whole, Mr. Ray in the chair, on said bill.

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Thursday the first of March next.

On motion of Mr. Ogle and Mr. Allshouse,

Ordered, That the amendment offered in the committee of the whole, to said bill, No. 90, be printed.

Bill No. 150, from the House of Representatives, entitled

“An act declaring certain creeks, within this commonwealth, public highways.”

Was read the second time, and

Ordered, To be prepared for the third reading.

Bill No. 165, entitled

“An act to authorise the governor to incorporate the Shippen-ville and Foxbury turnpike road company,”

Was read the second time, and

Ordered to be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on bill No. 101, entitled

“An act authorising the removal of the seat of government to the city of Philadelphia.”

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,  
Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Knight and Mr. Power,  
To postpone the question, together with the bill indefinitely.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Seltzer and Mr. Allshouse, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Dunlop, Hawkins, Kelley, Knight, Leech, Logan, Moore,	Messrs. Ogle, Power, Ray, Ryon, Seltzer, Sturgeon, Sullivan, Mabon, Speaker, 16.
NAYS.	NAYS.
Messrs. Audenried, Duncan, Emlen, Garber, Hambright, Hay, Herbert,	Messrs. Kerlin, King, Kitchin, Mann, Petrikin, Sutherland, Winter, 14.

So it was determined in the affirmative.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Sutherland in the chair, on bill No. 168, from the House of Representatives, entitled

"An act to incorporate the Franklin Library Company, of Ten Mile, in the county of Washington."

After some time,

The committee rose and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 174, from the House of Representatives, entitled

"An act to endow the House of Refuge, and for other purposes therein mentioned."

After some time,

The committee rose, and the chairman reported the bill without amendment.



On motion of Mr. Ogle and Mr. Moore,

Bill No, 173, from the House of Representatives, entitled

"An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war,"

Was committed to the committee on claims.

Adjourned until 10 o'clock, to-morrow morning.

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## WEDNESDAY, February 28, 1827.

Mr. Power presented the petition and documents of James Riley, of Trumbull county, in the state of Ohio, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Mr. Petrikin presented the petition of sundry citizens of Mifflin county, praying for the division of said county.

Which was laid on the table.

The speaker laid before the Senate a copy of the proceedings of a meeting of the citizens of Centre county, on the subject of the second report of the Pennsylvania canal commissioners.

Which was read and laid on the table.

On motion of Mr. Knight and Mr. Kitchin,

The committee on roads, bridges and inland navigation, was discharged from the further consideration of the petition of sundry citizens of Bradford county, relative to declaring Wysox creek, in said county, a public highway.

Mr. Knight from the committee on roads, bridges and inland navigation, reported bill, No. 181, entitled,

"An act authorising the Dauphin and Susquehanna coal company to make Stoney creek, in Dauphin county, a slack-water navigation, and supplementary to an act entitled an act to incorporate the Dauphin and Susquehanna coal company, passed April 5th, 1826."

Mr. Knight, from the committee on roads, bridges and inland navigation, reported bill, No. 182, entitled,

"An act to repeal in part an act entitled an act to improve the leading roads in M'Kean and Jefferson counties."

Said bills were read the first time.

Bill No. 165, entitled

"An act to authorise the governor to incorporate the Shippensville, and Foxbury turnpike road company."

Was read the third time, and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Bill No. 180, from the House of Representatives, entitled

"An act declaring certain creeks within this commonwealth, public highways.

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Bill No. 168, from the House of Representatives, entitled

"An act to incorporate the Franklin Library Company, of Ten Mile, in the county of Washington,"

Was read the second time.

The sections were severally considered and agreed to.

The title being under consideration,

A motion was made by Mr. Knight and Mr. Kitchin,

To postpone the same, for the purpose of introducing the following, to be called section 7.

Sect. 7. And be it further enacted by the authority aforesaid, That the legislature reserves the right to alter, amend, or annul this charter, at any time hereafter."

Which was agreed to.

The seventh section was considered and agreed to.

The title was then considered and agreed to, and

Ordered, That said bill be prepared for the third reading.

Bill No. 174, from the House of Representatives, entitled

"An act to endow the House of Refuge, and for other purposes therein mentioned,"

Was read the second time.

The sections and title were severally considered and agreed to, and

On motion of Mr. Ogle and Mr. Kerlin.

The rule which prohibits bills being read twice on the same day, was in this case dispensed with, and said bill was read the third time passed.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

· Agreeably to order,

The senate again resolved itself into a committee of the whole, Mr. Dunlop in the chair, on bill No. 110, from the House of Representatives entitled,

“An act erecting all that part of Mifflin county, south and east of the Black-log and Shade mountains, into a separate county, to be called Juniata.”

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Petrikin and Mr. Dunlop,

To postpone the question on agreeing to the report of the chairman of the committee of the whole, together with the bill, for the present.

On the question,

Will the Senate agree to postpone the question, on agreeing to the report of the chairman of the committee of the whole, together with the bill, for the present?

The yeas and nays were required by Mr. Petrikin and Mr. Garber, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Dunlop, Garber, Hay, Herbert, Hunt, Moore, Ogle,	Messrs. Petrikin, Power, Ryon, Seltzer, Sturgeon, Sullivan, Sutherland, Winter,
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Emlen, Hambright, Hawkins, Kelley, Kerlin,	Messrs. King, Kitchin, Knight, Leech, Mann, Ray, Mahon, speaker. 4.

So it was determined in the affirmative.

A motion was made by Mr. Garber and Mr. Audenried,  
To re-consider the foregoing vote.

On the question,  
Will the Senate agree to the motion?  
It was determined in the affirmative.

The question recurring,  
Will the Senate agree to postpone the question on agreeing to  
the report of the chairman of the committee of the whole, together  
with the bill, for the present?

The yeas and nays were required by Mr. Ogle and Mr. Gar-  
ber, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Power,	
Dunlop,		Ryon,	
Hay,		Seltzer,	
Leech,		Sturgeon,	
Moore,		Sullivan,	
Ogle,		Sutherland,	
Petrikín,		Winter,	14.
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Kelley,	
Duncan,		Kerlin,	
Emlen,		King,	
Garber,		Kitchin,	
Hambright,		Knight,	
Hawkins,		Mann,	
Herbert,		Ray,	
Hunt,		Mahon, speaker,	16.

So it was determined in the negative.

The question recurring,  
Will the Senate agree to the report of the chairman of the com-  
mittee of the whole?

The yeas and nays were required by Mr. Petrikín and Mr.  
Knight, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. King,	
Duncan,		Kitchin,	
Dunlop,		Knight,	
Emlen,		Leech,	
Garber,		Mann,	
Hambright,		Moore,	
Hawkins,		Ogle,	
Hay,		Power,	
Herbert,		Ray,	
Hunt,		Seltzer,	
Kelley,		Sturgeon,	
Kerlin,		Mahon, speaker,	24.

NAYS.

Messrs. Audenried,  
Petrikin,  
Ryon,

NAYS.

Messrs. Sullivan,  
Sutherland,  
Winter,

6.

So it was determined in the affirmative.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 158, entitled

"An act to authorise Stogdell Stokes to erect a bridge over Broadhead's creek, in Northampton county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 162, entitled

"An act to incorporate the Pennsylvania and Ohio canal company."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to-morrow.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Dunlop in the chair, on bill No. 164, entitled

"An act to enable Rosina Jacoby to convey certain real estate, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Emolen in the chair, on bill No. 169, entitled

"An act for the relief of the creditors of the Pittsburgh and Butler turnpike road."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Friday, the second of March next.

On motion of Mr. Petrikin and Mr. Winter,

The Senate resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No. 55, entitled

"An act to lay out a state road from Pennsborough, in Lycoming county, to Berwick, in Columbia county."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Wednesday, the 14th of March next.

On motion of Mr. Hawkins and Mr. Knight,

The amendments by the House of Representatives to bill No. 8, entitled,

"An establishing the rates of ferriage at Greensburg, Greene county,"

Were read the second time.

The same being under consideration,

A motion was made by Mr. Knight and Mr. Kitchin,

To amend the same by inserting after the word "required" the following: "make such alterations in the rates or tolls and."

Which was agreed to.

A motion was then made by Mr. Knight and Mr. Kitchin,

Further to amend the amendment by adding thereto the following proviso, viz:

"And provided further, That the ferry on the Monongahela river, at Brownsville, now known as Krepps and Gillespies ferry, shall be regulated as aforesaid, by the courts of Washington county."

Which was not agreed to.

The amendments as amended were then concurred in, and

Ordered, That the Clerk inform the House of Representatives accordingly.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives have concurred in the amendments by the Senate to the bill from the House of Representatives, No. 130, entitled

"An act declaring certain creeks within this commonwealth public highways."

Laid on the table.

The secretary of the commonwealth being introduced, presented a message, from the governor, which was read as follows viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following Acts of the general assembly, and directed the secretary of the commonwealth to return them to the Houses in which they originated, viz.

No. 28. "An act for the appointment of an inspector of pot and pearl ashes for the port of Philadelphia, and for regulating the inspection of the same."

No. 50. "An act to empower John Miles and Joseph Miles, surviving executors of Samuel Miles, late of Montgomery county, deceased, to sell and convey certain real estate therein mentioned; and also to authorise John Fritz, guardian of Samuel James and William Sands, minors, under the age of fourteen years, to execute and deliver a deed for a house and lot of land in Pottstown."

No. 32. "An act to make valid certain acts of Charles Deshler and James Keenan, justices of the peace, and Charles Chandler, a constable."

No. 42. "An act for the preservation of the records in the office of the deputy surveyor, in the county of Washington, and for other purposes."

No. 31. "An act to repeal in part an act entitled an act to improve the leading roads in M'Kean and Jefferson counties."

No. 10. "An act authorising Jacob Zook, trustee of the Great Valley Ominist Society, in Chester county, to sell and convey a certain real estate therein mentioned."

No. 17. "A further supplement to the act entitled an act to raise and collect county rates and levies."

J. AND W. SHULZE.

*Harrisburg, February 27, 1827.*

Laid on the table.

Adjourned until 10 o'clock, to-morrow morning.

## THURSDAY, March 1, 1827.

Mr. Emlen presented three petitions, of similar tenor, praying that the members of the fire engine and hose companies, in the city and county of Philadelphia, may be exempted from the performance of militia duty.

Which were referred to the committee on the militia system.

Mr. Hunt presented two petitions, of similar tenor, from sundry citizens of Chester county, praying for the repeal of the law relating to collateral inheritances.

Which were laid on the table.

Mr. Hawkins, from the committee on the judiciary system, to whom was committed bill No. 145, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth,"

Reported bill No. 183, with a similar title.

Mr. Kelley, from the committee on the subject, on leave given, reported bill No. 184, entitled

"An act to authorise Thomas Laughlin and Thomas Wilkins, to sell and convey certain real estate."

Mr. Mann, from the committee on claims, reported bill No. 185, entitled

"An act for the relief of Patrick Dickson and James Riley, soldiers of the revolution."

Mr. Kitchen read in his place, and on leave given, presented to the chair, bill No. 186, entitled

"An act to repeal the 8th, 9th, and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31, 1825."

Mr. Power read in his place, and on leave given, presented to the chair, bill No. 187, entitled

"A supplement to an act entitled an act for the improvement of the state"

Said bills were read the first time.

Bill No. 168, from the House of Representatives, entitled

"An act to incorporate the Franklin Library Company, of Ten Mile, in the county of Washington,"

Was read the third time and passed.

Ordered, that the clerk return said bill to the House of Representatives with information, that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

Bill No. 158, entitled

"An act to authorise Stoddell Stokes to erect a bridge over Broadhead's creek, in Northampton county,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

Bill, No. 164, entitled,

"An act to enable Rosina Jacoby to convey certain real estate, and for other purposes."

Was read the second time.



The same being under consideration,  
A motion was made by Mr. Sutherland and Mr. Winter  
To postpone the further consideration of the bill until to-morrow.  
Which was agreed to.

Agreeably to order,  
The senate again resolved itself into a committee of the whole,  
Mr. Ray in the chair, on bill No 90, entitled,  
"An act for the protection of sureties in certain cases."

After some time,  
The committee rose, and the chairman reported the bill amended,  
by striking out of the eighth line the article "the," where it  
occurs the third time, and inserting the word "such;" and by inserting  
after the word "officer," in the twenty-third line, the words  
"to any lien creditor."

On the question,  
Will the Senate agree to the first amendment reported by the  
chairman of the committee of the whole, to said bill?

It was determined in the affirmative.

On the question,  
Will the Senate agree to the second amendment, reported by  
the chairman of the committee of the whole, to said bill?

It was determined in the negative.

The question then recurring,  
Shall this bill be transcribed for the third reading?  
It was determined in the affirmative.

Agreeably to order,  
The Senate again resolved itself into a committee of the whole,  
Mr. Seltzer in the chair, on resolution No. 88, from the House of  
Representatives, entitled

"Resolution relative to the report of the commissioners appointed  
to revise the penal code."

After some time,  
The committee rose, and the chairman reported the resolution  
with amendments.

Agreeably to order,  
The Senate resolved itself into a committee of the whole, Mr.  
Hambright in the chair, on bill No. 152, entitled

"An act authorising the administrators of Peter Anthony to sell  
and convey certain real estate."

After some time,  
The committee rose, and the chairman reported the bill with  
amendments.

Adjourned until 10 o'clock, to-morrow morning.

**FRIDAY, March 2, 1827.**

Mr. Hay presented the petition of Jacob and Dorothy Reger, of Philadelphia, praying that the trustees of the Methodist society, in Germantown, may be authorised to sell and convey a certain meeting house in said town.

Which was laid on the table.

The clerk of the House of Representatives being introduced, returned the bill entitled

No. 27. "A further supplement to the act entitled an act to establish a Board of Wardens for the port of Philadelphia, and for the regulation of pilots and pilotages; and for other purposes therein mentioned."

And informed that the House of Representatives have passed the same with an amendment, in which the concurrence of the Senate is requested.

On motion,

Said amendment was twice read, and

On motion of Mr. Audenried and Mr. King,

Postponed until Monday the 12th instant.

He further informed that the House of Representatives have concurred in the amendment by the Senate to the amendment by the House of Representatives to the bill from the Senate, entitled

No. 8. "An act establishing the rates of ferriage at Greensburg, Greene county"

And that the House of Representatives have concurred in the amendment by the Senate, to the bill from the House of Representatives, entitled

No 168. "An act to incorporate the Franklin Library Company, of Ten Mile, in the county of Washington."

Laid on the table.

Mr. Mann, from the committee on claims, to whom was committed bill No. 173, from the House of Representatives, entitled

"An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war,"

Reported the bill as committed, No. 188.

Said bill was read the first time.

Mr. Herbert, from the committee to compare bills and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on yesterday presented to the governor for his approbation, the bills numbered and entitled as follow, viz.

No. 3. "An act authorising the sale and conveyance of the right of the heirs of George Taylor, to a tract of land in Washington county."

No. 7. "An act relative to certain books of record within this commonwealth."

No. 30. "An act authorising the laying out of a state road, in Beaver and Mercer counties. and also in Beaver and Allegheny counties, and for other purposes."

No. 104. "Resolution for the further distribution of the pamphlet laws of this commonwealth."

No. 8. "An act establishing the rates of ferriage at Greensburg, Greene county, and to regulate the ferries in Washington, Westmoreland and Fayette counties "

No. 39. "An act to establish an academy in the town of Milford, in the county of Pike."

No. 159. "A further supplement to the act entitled an act to incorporate the district of Spring Garden."

No. 130. "An act declaring certain creeks within this commonwealth public highways."

No. 174. "An act to endow the House of Refuge, and for other purposes therein mentioned."

Laid on the table.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 158. "An act to authorise Stoddell Stokes to erect a bridge over Broadhead's creek, in Northampton county."

No. 90. "An act for the protection of sureties in certain cases."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

The secretary of the commonwealth being introduced, presented a message, from the governor, which was read as follows. viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts and resolution of the general assembly, and directed the secretary of

the commonwealth to return them to the Houses in which they respectively originated, viz.

No. 130. "An act declaring certain creeks, within this commonwealth, public highways."

No. 39. "An act to establish an academy in the town of Milford in the county of Pike"

No. 159. "A further supplement to an act entitled an act to incorporate the district of Spring Garden."

No. 7. "An act relative to certain books of record within this commonwealth"

No. 30. "An act authorising the laying out of a state road in Beaver and Mercer counties, and also in Beaver and Allegheny counties, and for other purposes."

No. 8. "An act establishing the rates of ferriage at Greensburg, Greene county, and to regulate the ferries in Washington, Westmoreland and Fayette counties."

No. 5. "An act authorising the sale and conveyance of the right of the heirs of George Taylor to a tract of land in Washington county."

No. 174. "An act to endow the House of Refuge, and for other purposes therein mentioned."

No. 104. "A resolution for the further distribution of the pamphlet laws of this commonwealth."

J. ANDW. SHULZE.

*Harrisburg, March 2, 1827.*

Laid on the table.

On Motion of Mr. Kitchin and Mr. Duncan,

The Senate resumed the second reading and consideration of the resolution relative to the improvement of the public ground attached to the state capitol.

On the question,

Will the Senate adopt the resolution?

It was determined in the affirmative.

Ordered, That Messrs. Kitchin, Duncan and Seltzer, be the committee for the purpose expressed in said resolution.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Senate resumed the second reading and consideration of bill No. 164, entitled

"An act to enable Rosina Jacoby to convey certain real estate, and for other purposes."

The section, preamble and title, were severally considered and agreed to.

Bill No. 152, entitled

"An act authorising the administrators of Peter Anthony to sell and convey certain real estate."

Was read the second time.

The sections were severally considered and agreed to.

The title was considered and agreed to, after being amended by adding thereto the following: "and for other purposes."

Ordered, That said bills be transcribed for the third reading.

Resolution No. 88, from the House of Representatives, entitled

"Resolution relative to the report of the commissioners appointed to revise the penal code,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Sutherland and Mr. Leech,

To postpone the further consideration of the bill until Monday the fifth instant.

Which was agreed to.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 126, from the House of Representatives, entitled

"An act granting a sum of money for improving the navigation of the Tuscarora creek, in Mifflin county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Sullivan in the chair, on bill No. 121, entitled

"An act to provide a fund in support of a general system of education in Pennsylvania."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Monday the fifth instant.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 167, from the House of Representatives entitled,

"An act for the establishment of a college at Uniontown, in the county of Fayette."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on bill No. 177, entitled

"An act to revoke the charter of the Northern Bank of Pennsylvania."

After some time,

The committee rose, and the chairman reported the bill with an amendment.

On motion of Mr. Emlen and Mr. Mann,  
Said bill was read the second time, and

On motion of Mr. Ryon and Mr. Moore,  
The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Mann and Mr. Sturgeon,

The rule for going into a committee of the whole, being in this case dispensed with, bill No. 188, from the House of Representatives, entitled

"An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war,"

Was read the second time, and

Ordered, To be prepared for the third reading, after being amended, by striking out of the sixth section the word "Andrew," and inserting in lieu the word "Alexander"

On motion of Mr. Hawkins and Mr. Knight,

Bill No. 149, from the House of Representatives, entitled

"An act providing a mode of enforcing the payment of moneys charged on any lands, tenements or hereditaments, by last will or testament,"

Was committed to the committee on the judiciary system.

Adjourned until 10 o'clock, to-morrow morning.

**SATURDAY, March 3, 1827.**

Mr. Kerlin presented the petition of sundry citizens of Delaware county, praying for the repeal of the act relating to collateral inheritances.

Mr. Petrikin presented the petition of sundry stockholders of the Harrisburg and Millerstown turnpike road, praying for certain alterations in their act of incorporation.

Said petitions were laid on the table.

Mr. Logan presented the petition and documents of Rosanna Shelly, of York county, widow of a revolutionary soldier, praying for relief.

Which were referred to the committee on claims.

Mr. Sutherland presented a petition praying for certain alterations in the militia law, so far as it affects the first brigade, first division, of the militia of this commonwealth.

Which was referred to the committee on the militia system.

Mr. Hawkins, from the committee on the judiciary system, to whom was committed bill No. 95, from the House of Representatives, entitled

"An act to perpetuate testimony in certain cases, and for other purposes,"

Reported bill No. 189, with a similar title.

Mr. Petrikin read in his place, and on leave given, presented to the chair, bill No. 190, entitled

"An act relative to the Harrisburg and Millerstown turnpike road company."

Said bills were read the first time.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 152. "An act authorising the administrators of Peter Anthony to sell and convey certain real estate, and for other purposes."

No. 164 "An act to enable Rosina Jacoby to convey certain real estate, and for other purposes."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

Bill No. 188, from the House of Representatives, entitled

"An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war,"

Was read the third time and passed.

Ordered, that the clerk return said bill to the House of Representatives with information, that the Senate have passed the same with an amendment, in which the concurrence of that House is requested.

On motion of Mr. Garber and Mr. Sturgeon,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the Speaker draw his warrant on the State Treasurer, in favor of the Clerk of the Senate, for one thousand dollars, to defray the contingent expenses of the Senate.

A warrant was accordingly so drawn.

Bill No. 126, from the House of Representatives, entitled "An act granting a sum of money for improving the navigation of the Tuscarora creek, in Mifflin county,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Garber and Mr. Sturgeon,

To amend the same, by striking out of the fourth line the words "one thousand two," and inserting in lieu the word "seven."

Which was not agreed to.

On the question,

Will the Senate agree to the first section?

The yeas and nays were required by Mr. Allshouse and Mr. Petrikin, and are as follow, viz.

YEAS.	YEAS.
Messrs. Dunlop, Garber, Hambright, Hawkins, Herbert, Hunt, Kelley, King, Knight, Leech,	Messrs. Logan, Moore, Petrikin, Power, Ray, Sturgeon, Sullivan, Sutherland, Winter, Mahon, speaker. 28.
NAYS.	NAYS.
Messrs. Allshouse, Hay, Kerlin,	Messrs. Kitchin, Mann, Ryon, 6.

So it was determined in the affirmative.

The remaining sections and the title were severally considered and agreed to.

Ordered, That said bill be prepared for the third reading.



Bill No. 167, from the House of Representatives, entitled  
 "An act for the establishment of a college at Uniontown, in the  
 county of Fayette,"

Was read the second time.

The first section being under consideration,  
 A motion was made by Mr. Knight and Mr. Hawkins;  
 To amend the same in the second line of the first article; by  
 striking therefrom the name "Madison," and inserting in lieu  
 the name "Gallatin."

On the question,  
 Will the Senate agree to the motion?

A division of the question was called for by Mr. Kerlin, to end  
 with striking out.

On the question,  
 Will the Senate agree to strike out the name "Madison?"

It was determined in the negative.

The section was then agreed to.

The remaining sections and the title were severally considered  
 and agreed to.

On the question,  
 Shall this bill be prepared for the third reading?

The yeas and nays were required by Mr. Kelley and Mr.  
 Petrikin, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse,	Messrs. Mann,
Dunlop,	Moore,
Emlen,	Ogle,
Garber,	Petrikin,
Hawkins,	Power,
Hay,	Ray,
Herbert,	Ryon,
King,	Sturgeon,
Kitchin,	Sullivan,
Knight,	Sutherland,
Leech,	Winter,
Logan,	Mahon, speaker, 24.
NAY.	
Mr. Kelley,	

So it was determined in the affirmative.

On motion of Mr. Kitchin and Mr. Power,

The rule for going into a committee of the whole, being in this  
 case dispensed with, bill No. 180, entitled

"An act to incorporate the minister, church wardens, and ves-  
 try-men of the Episcopal church of St. Paul's, in Beaver county,"

Was read the second time.

Bill, No. 180, entitled,

"An act to incorporate the rector, church-wardens and vestry-men, of the Episcopal church of St. Paul's, in Beaver county."

Was read the third time and passed.

Ordered, That the clerk present the said bill to the House of Representatives for concurrence.

On motion of Mr. Hambright and Mr. Ogle,

The Senate resumed the second reading and consideration of bill No. 124, entitled

"A supplement to the act entitled an act authorising the governor to incorporate the Conestoga navigation company."

The first section being again under consideration,

The question recurring,  
Will the Senate agree so to amend?

It was determined in the negative.

The first section, as amended, was then agreed to.

The second and third sections were severally considered and agreed to.

The fourth section being under consideration,

A motion was made by Mr. King and Mr. Winter,  
To amend the same, by striking out all that follows the enacting clause, and inserting in lieu the following, viz.

"That the rights and power of the legislature over the waters of the Hammer creek and Middle creek, as reserved by the ninth section of the act to which this is a supplement, be and remain as if this act had not passed."

Which was agreed to.

The section, as amended, was then agreed to.

A motion was then made by Mr. Hambright and Mr. Mann,  
Further to amend the bill, by adding thereto the following, to be called section 5, viz.

"Section 5. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any bank or other company incorporated by the laws of this commonwealth, to subscribe for, or purchase and hold, any number of shares in the capital stock of the Conestoga Navigation Company, and the same to sell and dispose of in such manner, and at such times, as they shall see proper."

On the question,

Will the Senate agree to the manuscript section 5?

It was determined in the affirmative.

The title was considered and agreed to, and

Ordered, That said bill be transcribed for the third reading.

The Senate resumed the second reading and consideration of resolution No. 82, from the House of Representatives, entitled

"Resolution relative to the report of the commissioners appointed to revise the penal code."

The resolution being again under consideration,

A motion was made by Mr. Sutherland and Mr. Petrikin,

To postpone the further consideration of the resolution until Friday the 9th instant.

Which was agreed to.

Bills numbered and entitled as follow, were severally read the second time and ordered to be transcribed for the third reading.

No. 148. "A supplement to an act entitled an act to erect the town of Indiana, in the county of Indiana, into a borough."

No. 186. "An act to repeal the 8th, 9th, and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31, 1825."

Bill No. 185, entitled

"An act granting aid to Allegheny college,"

Was read the second time.

The first and only section being under consideration.

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Allshouse and Mr. Kerlin, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Ogle,	
Garber,		Petrikin,	
Hambright,		Power,	
Hawkins,		Sturgeon,	
Herbert,		Sullivan,	
Kelley,		Sutherland,	
Kitchin,		Winter,	
Knight,		Mahan, Speaker,	17.
Loech,			
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Mann,	
Dunlop,		Moore,	
Hay,		Ray,	
Hunt,		Ryon,	
Kerlin,		Seltzer,	11.
King,			

So it was determined in the affirmative.

The title was considered and agreed to, after being amended, by adding thereto the following, viz. "in Crawford county."

Ordered, That said bill be transcribed for the third reading.

Bill No. 189, from the House of Representatives, entitled "An act to perpetuate testimony in certain cases, and for other purposes."

Was read the second time.

It section being under consideration,  
a motion was made by Mr. Sutherland and Mr. Hawkins,  
and the same by inserting after the word "cases," in the  
title, the following: "that have been or may hereafter be."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Dunlop and Mr. King,

to postpone the question together with the bill until to-morrow.  
It was agreed to.

The Clerk of the House of Representatives being introduced,  
returned the bills entitled as follow, viz:

No. 44. "An act to make valid a certain deed from the administrator of Henry Snyder, deceased, to Michael Simon"

No. 51. "A supplement to the act entitled an act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough, and for other purposes therein mentioned."

And informed that the House of Representatives have passed the first without and the latter with amendments, in which the concurrence of the Senate is requested.

Said amendments were twice read, and

On motion,

Were committed to Messrs. Ogle, Mann and Hunt.

A motion was made by Mr. Ogle and Mr. Leech,

That the Senate reconsider the vote taken on agreeing to the report of the chairman of the committee of the whole, negating bill No. 110, from the House of Representative, entitled

"An act erecting all that part of Mifflin county, south and east of the Black-log and Shade mountains, into a separate county, to be called Juniata."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle and Mr. Petrikin, and are as follow, viz.

YEAS.  
Messrs. Hunt,  
Leech,  
Ogle,  
Petrikin,  
Ryon,

YEAS.  
Messrs. Seltzer,  
Sullivan,  
Sutherland,  
Winter,

8.

YAYS.  
Messrs. Allshouse,  
Duncan,  
Dunlop,  
Emlen,  
Garber,  
Hambricht,  
Hawkins,  
Hay,  
Herbert,  
Kelley,

NAYS.  
Messrs. Kerlin,  
King,  
Kitchin,  
Knight,  
Mann,  
Moore,  
Power,  
Ray,  
Sturgeon,  
Mahon. sneaker. 20:

So it was determined in the negative.

The Clerk of the House of Representatives gave information that the House of Representatives had in the amendments by the Senate to the bill

No. 167. "An act for the establishment of a Town, in the county of Fayette."

No. 188. "An act for the relief of sundry soldiers, and widows of soldiers, of the revolutionary war."

He also presented an extract from the journal of that House, which was read as follows:

*In the House of Representatives,  
March 3, 1827.*

On motion,

Resolved, That Messrs. J. Miller, Lauman, and Shannon, be a committee, in conjunction with a committee from the Senate, (already appointed) to report a plan for the improvement of the public ground attached to the state capitol; and such measures as may be necessary to carry the same into effect.

Laid on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Sullivan in the chair, on bill No. 121, entitled,

"An act to provide a fund in support of a general system of education in Pennsylvania."

After some time,

The committee rose and the chairman reported the bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No. 147, entitled

"A supplement to the act entitled an act to authorise a review of certain state roads."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill, No. 166 from the House of Representatives, entitled,

"An act to repeal an act establishing a district court in the county of Dauphin."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Kerlin and Mr. Dunlop,

To discharge the committee of the whole from the further consideration of the bill, and that it be committed to the committee on the judiciary system.

Which was not agreed to.

The question recurring,

Shall the committee of the whole have leave to sit again?

It was determined in the affirmative; and

Ordered, That the committee of the whole sit again on Friday the ninth instant.

On motion of Mr. Mann and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 185, entitled

"An act for the relief of Patrick Dickson and James Riley, soldiers of the revolution."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Ogle and Mr. Mann,

Said bill was read the second time, and

On motion of Messrs. Mann and Moore,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Sutherland and Mr. Leech,

The Senate resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 108, entitled

"An act to authorise John Towers to erect a bridge over the canal and river Schuylkill, at a town called Manyunk, in the county of Philadelphia."

After some time,

The committee rose and the chairman reported the bill with amendments.

On motion of Messrs. Sullivan and Knight,

The Senate again resolved itself into a committee of the whole, Mr. Emlen in the chair, on bill No 169, entitled

“An act for the relief of the creditors of the Pittsburg and Butler turnpike road.”

After some time,

The committee rose and the chairman reported the bill with amendments.

Adjourned until 10 o'clock, to-morrow morning.

## TUESDAY, March 6, 1827.

Mr. Leech presented the memorial of sundry delegates from the counties of Erie, Crawford, Mercer, Venango, Warren and Beaver, praying for the passage of a law directing and requiring the canal commissioners to locate and contract for making that part of the Pennsylvania Canal, uniting the waters of Lake Erie with those of the Ohio river.

Mr. Hay presented a remonstrance against exempting the members of the fire engine and hose companies in the city and county of Philadelphia, from performing militia duty.

Said memorial and remonstrance were laid on the table.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of John Meisner, a revolutionary soldier, reported:

That the petitioner states that he enlisted as a private soldier, under captain Green, in a corps called seven months' men, in the county of Northumberland, in the revolutionary war, and remained in the service during the said term; that he is now become poor and lame, and not able to support himself and family by manual labor, and therefore prays the legislature to grant him some relief. Your committee, however, after a careful examination of the petition and documents, are of the opinion that the prayer of the petitioner ought not to be granted; that all the time he states himself to have served, was seven months, during the whole of the revolutionary war, and that in a scouting company of seven months men, and cannot state when that was performed; nor does it ap-

pear, from his own showing, that he ever was in any of the memorable battles, or suffered any extraordinary hardships, or any other matter or thing that would entitle the petitioner to a pension. The committee therefore offer the following resolution:

**Resolved,** That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Ogle,

The resolution attached to the above report, was read the second time, considered and adopted.

Mr. Herbert, from the committee to compare bills and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, viz.

No. 126. "An act granting a sum of money for improving the navigation of the Tuscarora creek, in Mifflin county."

No. 44. "An act to make valid a certain deed, from the administrators of Henry Snyder, deceased, to Michael Simon."

No. 167. "An act for the establishment of a college at Uniontown, in the county of Fayette."

No. 168. "An act to incorporate the Franklin Library Company, of Ten Mile, in the county of Washington."

No. 188. "An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war."

Laid on the table.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill entitled as follows, viz.

No. 192. "An act supplementary to an act passed the 18th day of March, 1814, entitled an act making provision for the travelling expenses of the president and associate judges of the courts of common pleas."

Said bill was read the first time.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 124. "A supplement to the act entitled an act authorising the governor to incorporate the Conestoga Navigation Company."

No 148. "A supplement to an act entitled an act to erect the town of Indiana, in the county of Indiana, into a borough."

No. 186. "An act to repeal the 8th, 9th and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31, 1825."



Bill No. 135, entitled  
 "An act granting aid to Allegheny college, in Crawford  
 county."

Was read the third time.

On the question,  
 Shall this bill pass?

The yeas and nays were required by Mr. Byon and Mr. Sutherland, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Duncan, Garber, Hambright, Hawkins, Kelley, Kitchin, Knight, Leech,	Messrs. Ogle, Petrikin, Power, Sturgeon, Sullivan, Sutherland, Winter, Mahon, speaker, 17.
NAYS.	NAYS.
Messrs. Allshouse, Dunlop, Hay, Hunt, Kerlin, King,	Messrs. Mann, Moore, Ray, Ryon, Seltzer, 11.

So it was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The Senate resumed the second reading of bill No. 189, from the House of Representatives, entitled,

"An act to perpetuate testimony in certain cases, and for other purposes."

The first section being again under consideration,  
 The question recurring,  
 Will the Senate agree so to amend?

A motion was made by Mr. King and Mr. Winter,  
 To postpone the question for the present; and that the Senate resolve itself into a committee of the whole on said bill, for the purpose of general amendment.

Which was agreed to.

Whereupon,  
 The Senate again resolved itself into a committee of the whole,  
 Mr. Hunt in the chair, on said bill.

After some time,

The committee rose, the chairman reported progress, and the committee of the whole obtained leave to sit again on Thursday the 8th instant.

On motion,

Ordered, That the bill, with the amendments proposed in committee of the whole, be printed, and numbered 191.

Bills numbered and entitled as follow, were severally read the second time, and ordered to be transcribed for the third reading.

No. 147. A supplement to the act entitled an act authorising a review of certain state roads."

No. 169. "An act for the relief of the creditors of the Pittsburg and Butler turnpike road."

Bill No. 108, entitled

"An act to authorise John Towers to erect a bridge over the canal and river Schuylkill, at a town called Manyunk, in the county of Philadelphia,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

On motion,

Ordered, That said bill be reprinted as amended, and numbered 193.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Petrikin in the chair, on bill No. 181, entitled

"An act authorising the Dauphin and Susquehanna coal company to make Stoney creek, in Dauphin county, a slack-water navigation, and supplementary to an act entitled an act to incorporate the Dauphin and Susquehanna coal company, passed April 5th, 1826."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ogle and Mr. Seltzer.

Said bill was read the second time, and

Ordered, To be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Power in the chair, on bill No. 183, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth"

After some time,

The committee rose, and the chairman reported the bill with amendments.

**March 7.**

**THE SENATE.**

**679**

On motion of Mr. Audenried and Mr. Duncan,

The Senate resolved itself into a committee of the whole, Mr. Ray in the chair, on bill No. 25, from the House of Representatives, entitled

"An act authorising the governor to incorporate the Schuylkill Valley Navigation company."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 10 o'clock, to-morrow morning.

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**WEDNESDAY, March 7, 1827.**

Mr. Garber presented five petitions, of similar tenor, from sundry citizens of Mifflin county, praying for the repeal of the law relating to collateral inheritances.

Mr. Kelley presented the remonstrance, accompanied with a document, from Reynolds Laughlin and James W. Laughlin, against the passage of the bill entitled,

"An act to authorise Thomas Laughlin and Thomas Wilkins, to sell and convey certain real estate."

The speaker laid before the Senate a letter from David R. Porter, accompanied with a copy of the proceedings of a meeting of the citizens of Huntingdon county, on the subject of the report of the Pennsylvania canal commissioners; and approving the adoption of the measures recommended therein.

Said petitions, remonstrance, and letter, were laid on the table.

The secretary of the commonwealth being introduced, presented a message, from the governor, which was read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

**GENTLEMEN—**

I have this day approved and signed the following acts of the general assembly, and directed the secretary of the commonwealth to return them to the Houses in which they respectively originated, viz.

No. 167. "An act for the establishment of a college at Union-town, in the county of Fayette."

No. 44. "An act to make valid a certain deed from the administrator of Henry Snyder, deceased, to Michael Simon."

No. 168. "An act to incorporate the Franklin Library Company, of Ten Mile, in the county of Washington."

No. 188. "An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war."

No. 126. "An act granting a sum of money for improving the navigation of the Tuscarora creek, in Mifflin county."

J. ANDW. SHULZE.

*Harrisburg, March 7, 1827.*

Laid on the table.

Mr. Ogle, from the committee to whom were referred the amendments by the House of Representatives, to bill No. 31, entitled "A supplement to an act entitled an act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough, and for other purposes therein mentioned," having taken the subject into their serious consideration, reported:

That this bill passed the Senate, and was ordered to be sent to the House of Representatives for their concurrence. It was returned to this body with two verbal amendments, and forty-five new sections. Your committee have not thought it necessary to examine these various sections with a view to their justice or expediency, because they have come to a conclusion that it would be proper for the Senate to non-concur in them all for the following among other reasons, which they beg leave to offer.

The rules of all legislative bodies require that every subject, which comes before them, should be considered, at different stages, which in the Senate are fixed for bills, at three, in order to give time and opportunity for full deliberation. Amendments, properly so called, when made in one house, relate to subjects, which, having been fully considered in the other, the members of the originating house are, in general, prepared to sanction or reject them in a more summary way; but when new matter is offered by one house to the other, by way of amendments, our forms, requiring no committee of the whole, and but two readings, preclude that due deliberation which sound legislation demands. It is true, the new sections added to this bill, all relate to boroughs, either granting new charters, or altering those already granted; but your committee cannot see any such necessary connexion between the borough of Chester and any other borough, as would justify them in considering the new sections as amendments of the original bill. If the Senate should think proper so to alter their rules as to obviate the objection just made, your committee submit to the Senate, whether the introduction of a mass of new matter, such as is contained in the alledged amendments, will not injuriously affect the usual course of our proceedings. Bills from the House of Representatives take their place on the files of this body as ordered by

the Senate; amendments made by the other house may be taken up and decided at any time. Your committee conceive that it would be impossible for members to come prepared on a sudden, carefully to examine forty-five new sections, and if they even were so prepared, the time necessary to discuss all the various questions which might arise, would interfere with our own orders.

Your committee also conceive that, unless the Senate pursue the same course, the effect of admitting bills from the House of Representatives, by way of amendment, would be to make that house in fact the originating body. From the facilities which this mode of proceeding would afford, our bills would be made use of for the purpose of having attached to them any number of bills on the files of the other body; while measures which the Senate might think of great consequence, would lie neglected to the end of the session, or perhaps be altogether passed over.

Your committee must also call the attention of the Senate to the impropriety which this practice will give rise to, of mixing up different matters in the same bill. The anxiety of members to carry through bills in which their constituents are particularly interested, would have a tendency to call off their attention from the subjects connected with them, and thus measures might pass both houses, which, if they stood alone, would not receive the sanction of either. Your committee do not mean to say that there are not many cases in which it would be proper to dispense with the rule which they have attempted to establish. In such instances the necessity of the case will provide for itself. Your committee do not think the present one of those cases, and on the whole they offer the following resolution:

Resolved, That the Senate concur in the first, and non-concur in all the other amendments.

On motion of Mr. Ogle and Mr. Mann,

The resolution attached to the above report was read the second time, considered and adopted.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of the heirs of Hugh Foster, reported:

That the petitioners state that their father, Hugh Foster, deceased, served as a soldier in the revolutionary war—that he enlisted for one year, and served eighteen months—that he never received any pay for his services—and that when he was dismissed, his rifle was retained, with a promise of remuneration, which they alledge he never received, and for which they now claim compensation.

Your committee have bestowed all the attention in the investigation of this matter, they conceive the nature of the case requires, and find the matter in proof to be: That said Hugh Foster did serve several tours during the revolutionary war; but nothing appears to satisfy your committee that any arrearage of pay is

due and unpaid, or that his rifle was retained and not paid for, only the deposition of William Dougherty, that it was the practice at that time to retain the arms; but does not say that his (William Dougherty's) or said Hugh Foster's arms were retained; and as the evidence is so evasive and indefinite, your committee deem it inexpedient to grant the prayer of the petitioners, and offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

• On motion,

The resolution attached to the above report was read the second time, considered and adopted.

Mr. Kitchin, from the committee on education, reported bill No. 194, entitled,

"An act incorporating the Theological seminary of the associate reformed synod of the west."

Said bill was read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill No. 195, entitled as follows:

"An act to cede the jurisdiction of the territory occupied for a navy yard, in the county of Philadelphia, to the government of the United States."

Said bill was read the first time.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 147. "A supplement to the act entitled an act authorising a review of certain state roads."

No. 169. "An act for the relief of the creditors of the Pittsburg and Butler turnpike road."

No. 181. An act authorising the Dauphin and Susquehanna coal company to make Stoney creek, in Dauphin county, a slack-water navigation, and supplementary to an act entitled an act to incorporate the Dauphin and Susquehanna coal company, passed April 5, 1826."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

Bill No. 193, entitled

"An act to authorise John Towers to erect a bridge over the canal and river Schuylkill, at a town called Manyunk, in the county of Philadelphia,"

Was read the third time.

On the question,  
Shall this bill pass?

A motion was made by Mr. Sutherland and Mr. Leech,  
To postpone the question together with the bill for the present.  
Which was agreed to.

Bill No. 183, from the House of Representatives, entitled  
"An act for the better preservation of the records contained in  
the public offices of the several counties of this commonwealth,"

Was read the second time.

The first section was considered and agreed to.

The second section being under consideration,

A motion was made by Mr. Sutherland and Mr. Petrikin,

To amend the same, by striking out of the fourth and fifth lines  
the following: "to which the prothonotary of the county," and in-  
serting in lieu the word "and."

Which was agreed to.

A motion was made by Mr. Kelley and Mr. Sutherland,

Further to amend the section, by striking therefrom all that fol-  
lows the word "thereto," in the sixth line, to the end of the sec-  
tion.

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Duncan and Mr. Knight,

To postpone the question, together with the bill, for the pre-  
sent.

Which was not agreed to.

The question recurring,

Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was made by Mr. Sutherland and Mr. Dunlop,

Further to amend the section, by striking out of the sixth line  
the word "county," and by inserting in the same line, after the  
word "seal," the words "of his office."

Which was agreed to.

A motion was then made by Mr. Kerlin and Mr. King,

To amend the section, by striking from the fifth line the follow-  
ing, viz. "add his certificate to the same effect."

Which was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was determined in the affirmative.

The third section being under consideration,

A motion was made by Mr. Dunlop and Mr. Kerlin,

To amend the same by striking out of the ninth line the word  
"rendered," and the words "or filed."

Which was agreed to.

A motion was then made by Mr. Duncan and Mr. Dunlop,

Further to amend the section, by striking out of the second line

the words "passage of this act," and inserting in lieu the words, "first day of July next."

Which was agreed to.

The section, as amended, was then agreed to.

The fourth section being under consideration,

A motion was made by Mr. Kerlin and Mr. Mann,

To amend the section, by inserting, after the word "the," in the eighth line, the words "judges of the," and by striking out of the ninth line the following: "at some regular term of such court."

Which was not agreed to.

On the question,

Will the Senate agree to the fourth section?

A motion was made by Mr. Kitchin and Mr. Ogle,

That the Senate adjourn?

Which was agreed to, and

The Senate adjourned until 10 o'clock, to-morrow morning.

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## THURSDAY, March 8, 1827.

On motion of Mr. Ryon and Mr. Mann,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the committee on banks be directed to bring in a bill for paying the services and expenses of the commissioners, appointed under an act of last session, to investigate the concerns of the Northern Bank of Pennsylvania.

The Senate resumed the second reading and consideration of bill No. 183, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth."

The question recurring,

Will the Senate agree to the fourth section?

A motion was made by Mr. Garber and Mr. Duncan,

To postpone the question, together with the bill, until to-morrow.

Which was agreed to.



Bill No. 23, from the House of Representatives, entitled  
 "An act to authorise the governor to incorporate the Schuylkill  
 Valley Navigation Company,"  
 Was read the second time.

The same being under consideration,  
 A motion was made by Mr. Mann and Mr. Ogle,  
 To postpone the further consideration of the bill until Monday,  
 the 12th instant.  
 Which was agreed to.

The Secretary of the Commonwealth being introduced, presented a message, accompanied with a document, from the Governor, which were read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth  
 of Pennsylvania.*

GENTLEMEN—

I have the honor to lay before you, agreeably to the resolutions of the last legislature, "relative to a survey and exploration of the Susquehanna river, and the north branch thereof," a report made to the governor, by the engineer appointed by the commissioners for the improvement of said river, in pursuance of said resolution.

J. ANDW. SHULZE.

*Harrisburg. March 8, 1827.*

*To his excellency J. Andrew Shulze, Governor of the Commonwealth of Pennsylvania.*

SIR—By virtue of an appointment received in pursuance of resolutions of the general assembly of the commonwealth of Pennsylvania, authorising a "survey and exploration of the river Susquehanna from the Maryland line by the North Branch thereof to the northern boundary of the state, for the purpose of ascertaining the true state and condition of the said river, and the North Branch thereof, and the relative advantages of a steam-boat navigation in its natural channel, and of an artificial canal on or near its banks;" and requiring the engineer "to report to the governor a detailed statement of the expense necessary to the completion of an ascending and descending navigation of the said river, and North Branch thereof, stating particularly the points on said streams, at which the navigation is most impeded; together with charts necessary to explain the several surveys and explorations made under the authority of these resolutions," I have the honor of submitting to your excellency the following REPORT:

In consequence of the advanced state of the season, when I was authorised to commence; the arduousness of the task assigned me; the magnitude of the survey; the many soundings I was obliged to make to ascertain the depth of water upon the various points, as well as to make the necessary examinations of its banks for artificial canaling, kept me busily employed until the middle of November, when I arrived at tide water and finished my explorations, &c. I have to regret that in consequence of the hurry of the procedure, I

have not been able to be so minute as I might otherwise have been.

**SECTION 1.** I commenced my surveys under the direction of Jabez Hyde, Esquire, one of the river commissioners, on the 14th day of July last, at Harmony, in Susquehanna county, on the northern boundary of the state, where the state line crosses the North East Branch of the Susquehanna, and proceeded downwards, following the meanderings of the river, along the Great Bend, a distance of 16 miles 47 perches. The whole consists of deep pools and gravel bars. At the distance of 940 rods from the state line is Lane's mill dam, which is constructed of brush and gravel, 19 inches high, and dams the water several miles into New-York state. Some other mill dams and gravel bars obstruct the channel in time of low water. The whole fall to this point is 59.089 feet, which distance if excavated for descending navigation, would cost \$7,056; but for an ascending navigation, with a towing path, would cost \$32,652; and for constructing a slack water navigation with locks, guard walls and dams about \$73,090. This section, which I denominate the first, ends at where I again came to the New-York state line.

Here the commissioner in attendance, procured canoes to convey us through Broom and Tioga counties, in the state of New-York, a distance of about 50 miles, which we did not survey. But I would observe, that this portion of the river is easy of improvement; the ponds are longer and deeper than those in the section above, and it is only obstructed by mill dams and gravel bars of easy excavation. I suppose the fall does not exceed two feet in the mile.

**SECT. 2.** We again commenced our levels and surveys at the northern line of the state, where the said north east branch of the Susquehanna crosses the line the third time. The town of Athens stands 4 miles below this point; at which place we were joined by Samuel H. Wilson, Esq. another of said river commissioners, who had been there engaged in procuring a boat for our future accommodation while on the river. This section is obstructed by mill and fish dams in several places, with some shallow ripples. It has a natural beach, for two-thirds of the whole distance, being 20 miles and 26 perches. Total fall 63.859 feet. The channel excavation for descending would cost \$14,245; margin channel and towing path for ascending, &c. \$58,905. This distance brings me to the mouth of Towanda creek.

**SECTION 3.** Commences at the mouth of Towanda creek and ends 100 perches above the mouth of Moshopen, and includes Wyalusing falls, several fish dams and ripples; all tending to the obstruction of the low water navigation. The extent of this section is 37 miles and 30 perches. Total fall 86.84 feet. Natural channel excavation would cost \$14,850. Marginal channel and tow path \$108,816. If thought prudent, two or three sunken locks might be constructed here, to overcome the principal currents, without incommoding high water navigation. The expense would be about \$30,000 additional.

**SECTION 4.** Begins 100 perches above the mouth of Meshopen, and ends at the head of Wyoming valley. The same remarks will

apply to this section as to the former. The distance is 34 miles 69 perches. Fall 74.797 feet. Expense of channel excavation \$ 13,419. Marginal excavation and towing path \$ 103,299.

SECTION 5. Commences at the head of Wyoming valley, and ends in the narrows, one and a half miles above Longshore's ferry, and includes Nanticoke falls. The length of these rapids is 100 perches from a deep pool above to a deep pool below them, and will require 6,111 cubic yards of excavation in a schistus rock. This will equalize the current and reduce it to a little more than one mile per hour: Expense of channel excavation \$36,483; for margin excavation and towing path \$104,553.

SECTION 6. Commences one and a half miles above Longshore's ferry, and ends two miles one hundred and forty perches above the mouth of Catawissa creek. In this section are the noted Nescopeck falls, which present greater obstructions than any other in the North Branch. The easiest method of overcoming it, would be to make a canal of 1000 perches on the west side, 160 of which distance is argillaceous rock in the bed of the river, the rest on good bottom land. The place of commencing should be at the head of Rocky Island, continued to below Berwick bridge, where it should again descend into the river by means of two locks, of 8½ feet lift each. These locks should be made close to the town of Berwick, which would create a water power, and might be rented out to good advantage. The situation of Berwick is pleasant, and possesses many sources from which wealth might be derived. Indications of iron ore and bituminous coal are met with here. Timber is abundant in this vicinity, and will, at some future period become very valuable, especially if the contemplated improvements are made. To make the above mentioned canal, the expense would amount to something like the following estimate, viz.

Excavation of 85,555 cubic yards, at 25 cents,	\$ 21,389
Guard lock,	6,000
Two locks of 8½ feet,	9,350
One dam and waste wier,	1,500
One culvert,	300
	<hr/>
	\$ 38,539

Contingent, &c. expenses not included.

It may be observed, that where the canal should be taken in, the west channel is narrow, so that but a short dam would be required. The whole length of this section is 25 miles 90 perches, fall 40.648 feet. Expense of excavating natural channel for descending, \$15,822; expense for excavating marginal channel and forming tow path for ascending navigation. \$98,338. These estimates are independent of the first mentioned, for overcoming the falls by canal.

SECT. 7. Begins 2 miles and 140 perches above the mouth of Catawissa creek, and ends at the junction of the north and west branches; whole length 22 miles 280 perches; fall 50.142 feet. This section has fewer obstructions than any other, but is gene-

rally shallow. The bed of the river is composed of shistus and gravel. The expense of excavation for a descending navigation would be \$12,833; for marginal excavations and towing path for ascending navigation, \$99,466. The greatest extent of natural beach, suitable for a towing path, is on the west side.

**SECT. 8.** Begins at the confluence of the two branches above mentioned, and ends half a mile below Mahontongo creek; whole length 20 miles 40 perches; fall 35 947 feet. This section contains M'Kee's falls, Shamokin ripples, with several others. The bottom of the river is principally rocky. Expense of excavation for descending navigation \$24,933; for marginal excavation and towing path, \$118,066.

**SECT. 9.** Begins half a mile below Mahontongo, and ends at the foot of Forster's falls, a distance of 21 miles and 80 perches; fall 60.751 feet. In this section are Berry's falls, Forster's falls, Beggarman's ripples, and several others of minor importance. Expense of excavation for descending navigation, \$45,100; for margin excavation and towing path, \$124,666. The obstructions are mostly rocky, and the falls very rapid. Three sunken locks would greatly improve its navigation, and make the remainder a gentle current. The same remark is applicable to 8th section; and if it should be thought proper to make a breakwater and occasional low dams, the necessity of deep cutting, in several places, would be obviated. Such dams would not obstruct the usual navigation in time of freshets.

**SECT. 10.** Commences at the foot of Forster's falls, and ends two miles below Highspire. The whole distance is 19 miles 160 perches; fall 43.127 feet. This section contains Hunter's falls, which is the only one of importance, and may be best overcome by a sunken lock. And in addition to this, if a channel is sunk sufficiently deep, the current will be equalised, and by the help of a towing path, any craft may ascend with ease at the lowest stage of the water. Some other obstructions, such as Brush rock, and the rocks nearly opposite Harrisburg, may be easily overcome.

If the channel is excavated along the margin of the river, the course will be more direct, than by following the windings of the natural channel. The excavation will also be accomplished with greater ease and safety to the workmen, and when done, may be inspected, and in future repaired without difficulty; crafts will also be less liable to accident, and may navigate without the assistance of pilots. These remarks are applicable to all the sections. Expense of channel or descending navigation, \$24,933; marginal excavation and towing path for ascending \$113,474.

**SECT. 11.** Commences two miles below Highspire, and ends opposite the town of Columbia; distance 18 miles 195 perches; fall 49.851 feet. This section contains Swatara and Chesnut ripples, with some others of minor importance. The bed of the river mostly gravel and gravel bars, and generally shallow to the head of Conewago falls, which at once seem to present an insurmountable barrier, to both an ascending and a safe descending.

navigation. At this place the fall is 19½ feet in three-fourths of a mile. Great as this obstruction is, it may be improved by excavating a straight sluice 3½ or 4 feet deep, and removing some of the most prominent rocks which will make a safe descending navigation. The expense of this improvement would be for excavation of rock 23,466 2-3 yards, at 50 cents, \$11,733 33 1-3.

Should the Pennsylvania Canal not be continued from Swatara downwards, it would be best perhaps to overcome the difficulties of Conewago by an artificial canal, commencing at the head of the old channel, between the shore and Elliott's island, thence excavating Hopkins' Canal three feet deeper, and sinking into the pond, at the lower end of the falls, by three locks. Hopkins' canal is now useless in low water. The York Haven canal is only made for boats of the ordinary size; consequently of no use for steam-boats, arks or rafts.

From the foot of Conewago to Columbia there are no great obstacles; but some excavation will be required.

Expense of this section is as follows:

436,713 cubic yards at 25 cents,	\$107,178 25
23,466 2-3 do. do.	11,733 33½

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\$120,911 58½

SECT. 12. I will endeavor to describe this section of the river as briefly as possible; and under one general head, by a reference to the draught and profile, show the difficulties to be overcome, and the excavations necessary at the different points, for the navigation of steam boats, and all kinds of river craft: From Columbia to Wissler's bar, a distance of 5½ miles, the fall is 14 feet, and by excavating a channel between the islands and the east shore, a safe passage may be obtained; from thence to the mouth of Conestoga, a distance of 4 miles and 184 2-5 perches, which extends round Turkey-hill point and falls—the fall is 44.71 feet, in the course of which will be 215,232 cubic yards of rock excavation. From Conestoga creek to Indian Steps, a distance of 4 miles, 170.8 perches, the fall is 33.08 feet. Wissinger's, Eshelman's, Hessian and Point falls, run with great rapidity, and in the present state of the river, a passage of these places is very dangerous, owing to the large rocks that lie scattered in all directions; but by excavating a shore channel, and constructing a tow-path with the material excavated, the danger will be removed. The rock excavation on this section, as marked on the profile, will amount to 92,519 cubic yards.

From the head of Indian Steps to the Maryland line, a distance of 13 miles, 276 1-5 perches, the fall is 66.18 feet; and I can devise no means to overcome it, but by dams and locks, which I will hereafter describe. By following the east shore, the best channel can be obtained; and if a short excavation is made on the east side of Ancram's island, (to where there is a natural canal already formed,) and one or two locks erected, a great part of the difficulty will be overcome. After passing Young's island, the water be-

comes very deep, (as will be seen by the profile,) and continues so to Toby's island, Bridge island, &c. At Cully's falls the pitch is short and rapid; and to equalize the current, considerable excavation will be necessary, as will be seen by a reference to the profile. From the lower end of Bridge island to the foot of Cully's falls, the pitch may also be overcome by excavating a channel on the east side, and erecting a double or treble lock; for which purpose no dam would be required, as the channel may be opened from the pond above Bridge island. The ground here is good, and perhaps after further investigation, it might be thought prudent to continue the channel to the foot of the ripples, below the sign of General Jackson; thence following the east shore throughout, there are no very serious obstructions to the Maryland line. The whole of the necessary excavation, from Columbia to the Maryland line, would be 546,469.9 cubic yards, which, at 50 cents, would cost \$273,234 95; the particulars of which are below, and by a reference to the profile, the nature of the excavation will be understood:

No.	Length.	Breadth.	Depth.	Cubic Yds.
1	1875 yards.	60 feet.	2 feet.	18,383.3
2	3850	do.	2.5	61,166.3
3	5225	do.	6	219,000
4	935	do.	1	6,232.3
5	1292.5	do.	4	34,466.6
6	209	do.	4	5,573.3
7	192.5	do.	3	3,850
8	550	do.	2	7,333.3
9	1100	do.	3	22,000
10	1210	do.	2.5	20,166.6
11	836	do.	10	55,733.3
12	968	do.	5.5	85,493.3
13	385	do.	3	7,700
14	385	do.	2	5,170.3
15	2473	do.	2.5	41,250
				<hr/> 546,469.9 <hr/>

546,469.9 cubic yards at 50 cents,

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\$273,234 95

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The whole distance from Columbia to the Maryland line is 28 miles, 40.4 perches—whole fall in the same 157.9 feet; wherefore, if a regular inclined plane could be made, the fall would average 5.615 feet per mile, which would create a current too strong, unless for a strong steam or horse power. With the help of a tow path and rope, and perhaps two horses, a boat of ten or twelve tons might stem the current; and as to descending, any craft might proceed in safety.

In making my explorations and surveys, I have endeavored to be as correct and careful as the time would permit me. The sickness prevalent along the river last season, operated much against us; most of the party suffered considerably in consequence of it;



even to the present time some are unwell. I have striven to proceed as far as possible, according to the instructions given me, in ascertaining the natural channel of the river for a descending navigation, and also for an ascending passage for steam boats, &c. and as far as time would permit, have made some observations with a view to the location of an artificial canal. From the magnitude of the undertaking and the delicacy of my situation, I hope it will be thought that I have used all diligence.

In all my explorations on the different sections of the river as above noted, I have always intended by my proposed improvements to obtain a channel of  $3\frac{1}{2}$  feet of water for all purposes of our present river navigation. But I conceive that the river is susceptible of still greater improvements, which, if effected, must prove of incalculable advantage, to the interests of all in any wise concerned in the river trade. In addition to the  $3\frac{1}{2}$  feet channel, it appears to me there is a very possible method of rendering the river navigable for steam boats, by slack water which I consider as easily accomplished as any other improvement; there is a sufficiency of water for this purpose, and the only step necessary to gain the greatest advantage, is to confine it.

Taking into consideration all the impediments that oppose themselves to a safe and easy navigation of the Susquehanna, I am clearly of opinion, that by a partial slack water improvement the end desired would be attained with the least expense, and would prove decidedly the most advantageous. My plan, which I beg leave respectfully to submit, is, to excavate a channel, and form a tow path along the margin of the river; the width of the channel to be in the main river 60 feet, and in the branch 50 feet, and throughout  $3\frac{1}{2}$  feet in depth. In addition to this, to erect a sufficient number of dams of three feet in height each, with an equal number of sunken locks of from 6 to 8 feet lift. By which mode of improvement a continuous channel of  $6\frac{1}{2}$  feet in depth in the lowest stages of the water would be obtained, affording a spacious and safe navigation for steam boats as well as others, at all times of the year when not obstructed by ice; nor will it in any wise interfere in time of freshets with the present mode of descending the river.

By improving the navigation upon this plan, the sudden falls that frequently occur would be rather an advantage, as above most of them there is deep water with which locks may be connected without the necessity of dams across the river.

At Indian Steps and Cully's falls a double or treble lock might be erected so as to ascend or descend immediately from one into the other, which would be an advantage both for safety, durability and expense; as the mason work of the whole would be connected together, each would strengthen the other, and the whole become one solid mass. Another advantage that would arise from connecting the locks wherever admissible, is, that the upper one only, in the connection, need be a guard lock, whereas if they were to be built single and separate each one must be a guard lock, and each one must have a natural or artificial dam. I by no means consider it difficult to make dams across the lower sections of the river, for

the bottom being all rock, the timbers of such dams may be bolted to the rock below; and stones for filling in are every where abundant; nor do I think such dams will be in danger of injury from ice freshets, as the water rises so much above the surface of them.

Another great benefit would arise from a slack water navigation, by partially damming the river and giving it a gentle current of about 4 inches fall in a mile, the water would never be so shallow in time of its low stages, as it has been for many years heretofore, and must continue to be, if improvements remedial of this evil be not made. A circumstance here may be mentioned, which all cannot be acquainted with. In the summer season, when the currents fall into their deepest channels, many large ponds are left along the margin of the river, and in this state of rest, the water becomes stagnant. putrefaction takes place, and operates in the highest degree injurious to health, producing bilious fevers, agues, and all their concomitant evils. These ponds are also often found to contain every description of both animal and vegetable matter, which, under the influence of a hot sun, lies putrifying; and produces a miasmata, that infects all the surrounding atmosphere. When along the shore on the survey, we met with carrion of all kinds, and the stench arising from these and the stagnant pools, was such, as at times, almost to overcome us. To these causes, I attribute the sickness that prevailed among us; and I believe that the health of citizens residing in the vicinity of these places, is always more or less affected by them. In many places these ponds might be filled up with the stone and gravel obtained by excavation, and in others, as before remarked, a slack water improvement would elevate the water above their surface, and pass over them a current of 8 or 4 inches fall per mile, which would effectually cleanse them, and prevent the existence of this noxious effluvia.

As my time upon the river was short, for examining all points with their relative advantages, I could not possibly point out the locations for dams, locks, &c. which, if thought worthy of future notice, will require a minute examination. The whole fall from Columbia to the Maryland line, being 157.9 feet, in a distance of 28 miles 40 perches, gives 130 feet to be overcome by locks; the remaining 27.9 feet I would allow for a regular fall of one foot in the mile, so that 20 or 22 locks will be sufficient, if properly located. To ascertain the necessary number of low dams and their location, requires a more minute inspection; but I do not suppose many would be needed. I, therefore, presume that an easy and safe slack-water navigation, including excavation, locks and dams, may be made for the sum of \$500,000, which is an average of \$17,857 per mile. This I think would cover all expense from Columbia to the Maryland line.

The above remarks might also apply to the whole of the river in some degree, and if it should be thought that a low dam of three feet would injure the natural channel navigation, in time of a freshet, a sluice might be made of sufficient length to obviate that difficulty.



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The work of erecting dams where necessary, will be found much less difficult and expensive than is generally imagined. The numerous islands located in every direction of the river, will be a great assistance and furnish a means of link and connection, that will tend both to shorten and strengthen them. In the last section especially, where the difficulties are the greatest, the islands are most numerous, and generally rocky, and form good abutments for any kind of dams and locks.

The total distance of the river requiring improvement, is 288 miles and 276 perches, in which calculation I do not include that part of the river which runs through Broom and Tioga counties in the state of New York; the total fall in the above distance is 734.075 feet.

The chart to explain the survey and exploration of the river to be made agreeably to the resolutions of the legislature is not yet entirely finished; but will be submitted as soon as the same can be completed, which will be in the course of the present session.

*(See tabular statement.)*

*Relative advantages of improving the navigation of the Susquehanna.*

The waters of the Susquehanna from the state line above Athens, to the head of Conewago falls, do not exceed in velocity, at an average rate, two miles per hour when low, and four miles per hour when at high water; and average one third of an inch fall per hundred feet in the distance of  $232\frac{1}{2}$  miles. In the present unimproved state of the river, however, the velocity is increased by its impetus in falling over bars, ledges of rocks, &c.; but when these are improved, especially if done systematically, it will be reduced to a gentle stream.

From the head of Conewago to tide, when the water is low, the current runs at the rate of about six miles per hour, and when high, at not less than ten miles on an average; but as the velocity of the stream in this portion of the river, is also very much increased by the impetus it receives in falling from one ledge of rocks to another, the navigation may be much improved by removing these obstructions.

Hitherto the great impediments in the way of the navigation of the river, have prevented a great part of its fertile banks and valleys from being settled. which in point of excellence for agricultural purposes, as well as for their mineral productions, are equalled by few portions of the Union, and perhaps excelled by none.

As the probable advantages that may arise from a river improvement, I might suggest, that at no very remote period, the citizens of New York may find it their interest to improve their streams leading into the Susquehanna, for it is a general principle in all mercantile pursuits, that articles will be transported to market through that channel on which they can be carried soonest and cheapest. It is well known that in consequence of the Susquehanna being open much earlier in the spring of the year than the

Erie canal and the lakes, large quantities of wheat and various other articles of produce, are sent from the neighborhood of the lakes to the Susquehanna, and thence down this river to market.

The expense of navigating an ark of forty tons from Owego to Conewago, a distance of 250 miles, is about fifty dollars, and proportionably more or less from any point intermediate, or more distant; but from Conewago to tide the expense is from sixty to seventy dollars, which, in some cases, would amount to ten or twelve per cent. on the value of the whole cargo; but if the river was improved by a margin channel and towing path, I conceive it would tend to reduce these expenses about one third of their present amount. Suitable break-waters might here be of advantage, formed from the materials excavated.

I presume that the losses in produce, merchandise, &c. which have been sustained by our citizens during the last twenty years on this river, in consequence of its very dangerous navigation, would be more than sufficient to improve it in the best manner proposed. And, in addition to the mere loss of property, the lives of many valuable citizens have been sacrificed and many young and growing families have been deprived of their chief support, and thus have had their fairest prospects nipt in the bud.

All these circumstances when duly considered, it is humbly conceived will greatly enhance the importance of effectually improving the Susquehanna river.

Many projects have been suggested, and large sums of money expended for clearing the channels of the river, yet the perils of navigation are but little diminished, nor can they be much diminished while the boat channel winds around abrupt and projecting rocks. But if a regular system be adopted, and a channel made along the rivers margin, and suitable dams and locks erected, all the dangers will cease, and the farmer may with the assistance of one or two hands, take his produce to market without any risk or the necessity of employing pilots; and if in addition, a towing path is made on the margin, he may bring his boat back again by the assistance of a single horse and tow line. The same remarks will also apply to steam boats, only that they will not require horse power. When the experiment was tried last spring of stemming the current with steam boats, the greatest obstacles were met with at Hunter's, Foster's, Berger's, M'Kees, Nescopeck and Nanticoke falls and a number of heavy ripples. These surmounted, the rest were not of great moment but when a channel is excavated sufficiently deep for low water navigation and the current equalized, steam boats may glide along with ease and safety.

The mineral productions of the Susquehanna country are found to be very abundant and of incalculable value; consisting chiefly of anthracite and bituminous coal and iron ore; the red and black Puzzollano (Roman cement) also, are met with in the vicinity of Danville and other places in large bodies, and also at several other places, another valuable water cement, termed *Tarras*, which is used as a substitute for the Puzzollano where that article cannot be had. Talc and Soap stones suitable to be used in blast furna-

ces of every description, fire places, and for ornamental purposes, are also to be had in great plenty along the river. These stones are soft, yielding easily to the chissel and are capable of resisting a very great degree of heat. In addition to these, a variety of elegant marble, slate suitable for roofing, and lastly, a fine granite are found in abundance; and in the vicinities of Berwick, Bloomsbury, Danville and other places on the west side of the river, indications of iron ore and bituminous coal are also met with. An extensive bed of bituminous coal of excellent quality, has been opened in the hills bordering on Towanda Creek. These coals are well adapted to the manufacture of iron, affording a much cheaper fuel than wood, and consequently, when used for that purpose will considerably reduce the price of that article. It may here be observed that in the manufacture of iron a large capital must be employed in order to conduct the business with profit; and, as is at present the case, manufacturers of that article on the waters of the Susquehanna must leave their products lie during the greater part of the year, waiting for a passage to market in the spring season, which at best is but a precarious one, the utility of an improvement affording an easy and rapid passage to market during at least nine months of the year, must appear very obvious.

The prosperity of the Western part of our State, particularly of Pittsburg and its vicinity, is obviously owing to the unobstructed river navigation, and facilities enjoyed by its citizens for sending their manufactured articles to market, the speedy returns of which, enable them to carry on business to a large extent and with certainty of profits; next, their bituminous coal, which so well answers for machinery and manufactories has enabled them to surpass the rest of the union, and made that city well deserving of the appellation of the "Birmingham of America."

All these advantages may be enjoyed on the shores of the Susquehanna and the articles above enumerated be brought in greater abundance to market, as soon as the river is sufficiently improved, and in a few years men of industrious habits will become enriched; trade of all kinds will increase, and the state in general become more prosperous. In England all their iron works are carried on with bituminous and free coal, both for smelting from the ore and for manufacturing into bars. The facility with which they proceed, (making in their blast furnaces from 80 to 110 tons per week of pig metal, and in their rolling mills from 150 to 250 tons of bar iron of various sizes, round, square and flat) enables them to undersell all the world beside. May we not enjoy the same advantages? Most certainly, if we adopt proper measures. The resources we have in the greatest abundance. Let then channels for transporting our products to market be furnished, and in a short time we shall be enabled to drive foreign iron, coal and salt, &c. from our markets.

Ten years ago, I was employed by the state to survey and locate a route for a canal to connect the Seneca lake and Chemung river at Newton, which enters the north branch below the flats of

the town of Athens; of which survey, the plan and profiles are lodged in the Secretary's office of this state.

The subject of the connection of these waters is now before the legislature of New-York, and if carried into effect, will enable them to send their salt and plaster to our market; and by the same channel, bar iron, castings, stone coal, &c. may be returned to them; the advantages of which will be reciprocal.

In addition to what I have already said, I beg leave further to remark, that on the New-York canal, boats are limited in regard to their progress and their amount of tonnage; but on the Susquehanna, when improved according to the plan contemplated, cargoes to almost any amount may be transported, and with as great rapidity as is desirable. Again, men now employed in the boating trade, can follow their business but for a few months in the year, during the continuance of the freshets; but in a slack water navigation boats may pass and repass, and these men will find employment during the whole season, from the time the river opens till it closes.

## CANAL REPORT.

In compliance with the resolutions of the general assembly, before recited, relative to examinations and surveys along the waters of the Susquehanna river, by the north branch thereof, from the Maryland line to the northern boundary of the state, with a view to the practicability of constructing an artificial canal on or near its banks, I have the honor to make a further report.

I commenced my examinations in Susquehanna county, and found that the most eligible point for commencing a canal, would be at the fording, below Lane's mill dam, 940 perches below the northern line of the state, and to be continued twelve and one-fourth miles along the river, around the Great Bend, until it enters the state of New York. The ground on this section is good bottom land, well calculated for canaling, with the exception of a few small bluffs, easy to overcome. The average cost of the work may be estimated at eight thousand dollars per mile. This part of the canal would be of no advantage to the state, unless a continuation of it were made through Broome and Tioga counties, in the state of New York, a distance of about fifty miles, to which the consent of that state would have to be obtained. I consider the ground along the bank of the river, so far as it extends through those two counties, well calculated for canaling, being alluvial soil, and generally presenting an even and unbroken surface. Stone and timber are also plenty and quite convenient.

At the place where the river crosses the line of the state a third time I commenced the second section. The north bank of river at this place is twenty-nine feet, and the south bank twenty feet above low water mark. To commence the canal here would be almost im-

practicable, I might say would be of no avail, unless the state of New York would continue the same from Susquehanna county, as no adequate quantity of water could be procured out of the river, by any other means, to raise the canal sufficiently high to pass the Tioga river by means of an aqueduct; the Tioga rising, at the time of freshets, from fifteen to eighteen feet above low water mark. Feeders may be made to this point, from Chenango or Tioga rivers, by going a considerable distance into the state of New York; but it is presumed, that New York would find it her interest to continue this canal through Broome and Tioga counties; in which event, the necessity of feeders would be precluded.

Presuming it might be thought more proper to commence lower down, (in case the citizens of New York were not inclined to enter into these views,) I would observe, that Overton's mill dam, about six miles above Meansville, would be the most convenient point for connecting the canal with the river. Proceeding along sections second, third and fourth, to the head of Wyoming flats, a distance of 91 miles and 126 perches, the fall is 25.496 feet. On the west side, in this distance, there are thirty three miles of rocky bluffs and points of rugged mountains, presenting formidable obstacles to the formation of an artificial canal, beyond the line or margin of the river. Some of those bluffs are nearly vertical, and from 100 to 300 feet high, the base of each washed by the water of the river. On the east side the bluff mountains extend in the same distance twenty-six miles, and either side would require strong walls the whole extent of the bluff, and I would suppose, should be fourteen feet high, by ten feet at the base, and five feet at surface in thickness, making 873,600 perches of  $16\frac{1}{2}$  cubic feet each, which I conceive for security and permanent safety, would require to be constructed of the strongest mason work, as the current, in many places, rushes with great impetuosity, particularly dangerous to artificial walls in time of ice freshets. I would recommend block range work, to ensure permanency; and if the stones were laid in moss, well inserted, the wall would be rendered more secure, as by such process, the whole, in a short time, would become a compact and solid body. This method of constructing walls is practised in some places in Europe, and found to be very efficient. As stones are generally convenient, the cost of erecting the wall would not exceed \$1 50 per perch of  $16\frac{1}{2}$  cubic feet, which would make the aggregate expense for the east side, one million three hundred and ten thousand four hundred dollars; the west side may be fairly rated at one-fourth additional. The remaining sixty-seven miles is mainly good ground, partly flats and partly sideling, and would average 12 $\frac{1}{2}$  cents per cubic yard for excavation. From the partial examination I entered into, I cannot pretend to give any estimate of the cost of culverts, aqueducts and bridges, or of the excavation of bluff shores, which consist of conglomerated masses, at all times liable to frequent slips. My opinion is, that slack water navigation, with towing paths for the whole distance of sections Nos. 2, 3 and 4, would be the best and cheapest. This mode of improvement on these sections



would require twenty-eight dams and locks, of eight feet lift each, of length and breadth suitable for river crafts and steam boats. The amount of cost, including towing path, would be \$569,858. With all due deference this opinion is submitted to legislative enquiry and decision.

**SECTION 5.** Presents more favorable ground for a canal, commencing at Cascade run, at the head of Wyoming valley and ending in the narrows below Nanticoke fall, one and a half miles above Longshore's ferry; distance 26 miles 118 perches, with a fall of 41.624 feet. On the east side the bluffs extend seven and an half miles, and on the west side two hundred and fifty perches, which would require walling as above. The west side possesses superior advantages for canaling. For the distance mentioned it will be requisite to have five locks of eight feet lift each. On either side, exclusive of the bluffs, the ground is good and easy of excavation.

**SECTION 6.** Commences in the narrows below Nanticoke falls, one and an half miles above Longshore's ferry, and ends two miles and one hundred and forty perches above Cattawissa creek; distance 25 miles 90 perches, with a fall of 40.648 feet. The ground for canaling is the most favorable on the west side, and the whole distance would require no guard walling; but the east side would require a wall of 9 miles 120 perches. This section on either side will require five locks of eight feet lift each.

**SECTION 7.** Commences two miles and one hundred and forty perches above Cattawissa creek, ending at the junction of the north and west branches of the Susquehanna river; distance 22 miles 280 perches, with a fall in the whole distance of 30.142 feet. The bluffs extend five miles on the west, and three and an half miles on the east side, which would require walling as before. Four locks of eight feet lift each, will be necessary to unite it with the line of canal laid out by Judge Geddes. I would recommend the canal to be continued on the west side the whole length of this section.

**SECTION 8.** Commences at the confluence of the north and west branches, and ends one half mile below Mahantongo creek; distance 20 miles 40 perches; fall 35.947 feet. I need not remark on this section, as Judge Geddes has, in his report, superseded this necessity; to which report, for further information, I must respectfully refer.

**SECTION 9** Commences an half mile below Mahantongo and ends at the foot of Forster's fall; distance 21 miles 80 perches; fall 60.751 feet. Judge Geddes' report furnishes all the information on this section necessary to be given.

**SECTION 10.** Commences at the foot of Forster's falls and ends two miles below Highspire, distance 19 miles 160 perches, fall 45.127 feet. Along this section the Pennsylvania canal is laid out.

**SECTION 11.** Commences two miles below Highspire and ends at the town of Columbia; distance 18 miles 195 perches; fall 49.851 feet. I would here observe, that at the end of one mile one hundred and twenty perches on this section, the Pennsylvania canal terminates at the Swatara, which, should a continuation of it



down the river be at any time entered upon, would leave 17 miles and 75 perches; fall 49.226. This part of the section would require 5 miles 120 perches of firm walling eight feet high. Four locks will be requisite. The excavation mostly easy.

SECTION 12. I would here remark, that it will be necessary and prudent to keep as high a level as possible from Columbia, at the commencement of the twelfth section so as to be able to attain the second bench round Turkey hill point, a distance of two miles, the whole of which will be rock excavation of perhaps eight feet deep, which would obviate the necessity of a wall round the point of the hill. The distance from Columbia to Conestoga creek is 9 miles 234 perches; fall 58.064, with the exception of Turkey hill point. I do not consider this section bad ground for canaling; being principally fragments of detached rocks, variously dispersed upon narrow steeps of bench land which may be removed with ease. Many of the rocks are of such a kind as would be serviceable in erecting locks. Six locks will be necessary, with an average lift of eight feet three inches. This gives twenty-four feet above low water mark. Conestoga creek will require an aqueduct to be thrown across it; the banks on each side are well adapted for abutments. Perhaps upon more minute examination, it might be found proper and prudent hereafter to erect one lock less on this section, so as to gain eight feet in height below the aqueduct, in time of high water. As I presume Conestoga creek may be made navigable to Morgantown, and become of some consequence, locks might be constructed here to enable a descent into the same, and an ascent from the creek into the canal. From Conestoga creek to the Maryland line, a distance of 18 miles, 127 perches, there is a fall of 99.26 feet, which being added to the elevation of the aqueduct above the creek, gives 123.35 feet to the surface of low water in the river, requiring 15 locks. This section is much easier of excavation than the last, having more flats and fewer fragments of rocks, and upon the whole, from Swatara down, not so difficult as some other sections of country now under contract and about to be excavated.

I would here remark, that should the above work at any time be entered upon and accomplished, it will furnish an immense water power, especially if the canal should be carried along a high level, which would be advisable in all cases where practicable. This would be a powerful inducement for men of public spirit and capital to locate themselves along the line of the canal for the purpose of engaging in manufactures and must ultimately be a source of wealth to the state.

After I had reached the Maryland line, I proceeded to examine the river to tide water. Not many obstacles are here presented to prevent the making of a safe and easy navigation, at all stages of the water, at a moderate expense; and I have no doubt, that the people of Maryland will find it their interest before long to have it accomplished.

From the Maryland line to the head of the Maryland canal, is 504 4-5 perches, with a fall from low water mark of 5.35 feet,

along and bordering upon a high rocky bluff; but as the distance is short the canal might be continued by walling beneath it along the river shore to the head of the Maryland canal, which at some future period may perhaps be thought advisable.

From the limited time allowed me, I could not pretend to an exact location of a canal route, or to ascertain the most eligible sites for locks; nor could I go into a precise enumeration of the requisite number of bridges, aqueducts and culverts. I have nevertheless endeavored to be correct as to elevation, depression and distances. I was invariably compelled to follow the meanders of the river, and it may be fairly said that a correct location of a canal line will greatly shorten the distances, as many of the bends may be altogether avoided.

*Estimate of the probable expense of making a canal from the New York line along the North Branch of the Susquehanna to Northumberland point.*

## EAST SIDE.

Excavating 121 miles 145 perches in length, at 12½ cents per cubic yard,	\$ 534,525
Excavating 42 lock pits, at \$550 each,	23,100
Filling up and puddling round the bluffs 46½ miles,	409,200
Walling round the bluffs, 46 miles 120 perches, lineal,	2,427,800
Building, &c. 42 locks of eight feet lift, at \$5,000,	210,000
	<hr/>
	\$3,608,925

## WEST SIDE.

Excavating 129 miles lineal, at 12½ cts. per yard,	\$ 567,600
Ditto 42 lock-pits, at \$550 each,	23,100
Filling up and puddling round the bluffs, 58 miles 250 perches lineal,	334,400
Walling round the bluffs, 38 miles 250 perch. lineal,	1,952,000
Building 42 locks, at \$5,000,	210,000
	<hr/>
	\$3,088,100

Probable expense of making a canal from Swatara creek, to the Maryland line:

Excavating 2 miles lineal, at 50 cts. per cubic yard,	\$ 62,577
Do. 10 do. 25 do.	88,000
Do. 32 miles 132 perches lineal, at 12½ cts.	145,614
Defence wall 3 miles, 130 perches lineal,	171,675
Building 25 locks, at \$5,000,	125,000
Excavating 25 lock-pits,	13,750
	<hr/>
	\$606,616

I feel satisfied that a canal cannot be constructed at a cost less than the above estimation, unless it be ascertained that a less se-

cure wall be sufficient to withstand the force of ice freshets; in such case a proportionable deduction must be made from the estimated cost of walling.

I have made no allowances for contingencies, engineering, &c. which will be necessary items in the cost of construction.

In the detail of facts, I have endeavored to be minute, and have given them as far as ascertained, and as the time and nature of the undertaking would permit.

All which is respectfully submitted.

CHARLES TRCZYULNY, *Engineer.*

*Harrisburg, March 5, 1827.*

Laid on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Seltzer in the chair, on bill No. 184, entitled

"An act to authorise Thomas Laughlin and Thomas Wilkins to sell and convey certain real estate."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Saturday the 10th instant.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Logan in the chair, on bill No. 187, entitled

"A supplement to an act entitled an act for the improvement of the state."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Monday the 12th inst.

The Clerk of the House of Representatives being introduced, presented an extract from the journal of that House, which was read as follows:

*In the House of Representatives,  
March 7, 1827.*

On motion,

Resolved, That Messrs. Alter, M'Clure, Overholzer, Martin and Blair, be a committee to confer with a similar committee from the Senate (if Senate should appoint such committee) relative to the amendments by the House of Representatives, non-concurred in by the Senate, to the bill from the Senate, No. 81, entitled

"A supplement to the act entitled an act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough, and for other purposes therein mentioned."

Laid on the table.

Adjourned until 10 o'clock, to-morrow morning.

**FRIDAY, March 9, 1827.**

Mr Duncan presented the following petition and certified copy of an act of the state of Maryland, which was read as follow:

*To the Honorable the House of Representatives and the Senate of the commonwealth of Pennsylvania.*

The memorial of the undersigned, respectfully represents, that at the instance of a number of citizens of Maryland, the enclosed law was enacted by the legislature of that state, incorporating a company for the purpose of constructing a rail road from the city of Baltimore to some point on the Ohio river. The object of this law may render it necessary to conduct the road in question through some part of the state of Pennsylvania; and as the execution of such a work may be of mutual advantage and importance to both states; and those whom we represent have reason to hope, it may meet the favorable concurrence of the legislature of your commonwealth; we respectfully present the same on their behalf, for your consideration, soliciting the permission to conduct the same through such part of your state as may hereafter be found expedient or necessary.

We are respectfully,

Gentlemen,

Your obedient servants,

J. W. PATTERSON.  
THOMAS KELL,  
WM. FRICK,  
W. W. TAYLOR.

*An act to incorporate the Baltimore and Ohio Rail Road Company.*

Section 1. Be it enacted by the General Assembly of Maryland, That Isaac McKim, Thomas Ellicott, Joseph W. Patterson, John McKim, Jr. William Steuart, Talbot Jones, Roswell L. Velt, George Brown, and Evan Thomas, be and they are hereby appointed Commissioners under the direction of a majority of whom, subscriptions may be received to the capital stock of the Baltimore and Ohio Rail Road Company hereby incorporated, and they or a majority of them, may cause books to be opened at such times and places as they may direct for the purpose of receiving subscriptions to the capital stock of said company, after having given such notice of the times and places of opening the same as they may deem proper; and that upon the first opening of said books, they shall be kept open for at least ten successive days from ten

o'clock, A. M. until two o'clock, P. M. and if at the expiration of that period, such a subscription to the capital stock of said company, as is necessary to its incorporation shall not have been obtained, the said commissioners or a majority of them, may cause the said books to be opened from time to time after the expiration of the said ten days, for the space of twelve months thereafter, or until the sum necessary to the incorporation of the company shall be subscribed, if sooner subscribed; and if any of the said commissioners shall die, resign, or refuse to act during the continuance of the duties devolved upon them, by this act, another may be appointed in his stead by the remaining Commissioners or a majority of them.

Section 2. And be it enacted, That the capital stock of the said Baltimore and Ohio rail road company shall be three millions of dollars, in shares of one hundred dollars each, of which ten thousand shares shall be reserved for subscription by the state of Maryland, and five thousand for the city of Baltimore, for the space of twelve months after the passage of this act by the legislature of Maryland, and the remaining fifteen thousand shares may be subscribed for by any other corporation or by individuals; and that as soon as ten thousand shares of the said capital stock shall be subscribed, the subscribers of the said stock, their successors and assigns shall be, and they are hereby declared to be, incorporated into a company, by the name of "The Baltimore and Ohio Rail Road Company;" and by that name shall be capable in law of purchasing, holding, leasing and conveying estates, real personal and mixed, so far as shall be necessary for the purposes hereinafter mentioned, and no further; and shall have perpetual succession, and by said corporate name may sue and be sued, and may have and use a common seal, which they shall have power to alter or renew at their pleasure, and shall have, enjoy, and may exercise all the powers, rights and privileges which other corporate bodies may lawfully do, for the purposes mentioned in this act.

Section 3. And be it enacted, That if more than fifteen thousand shares shall be subscribed to the Capital stock of said company, not reserved to the state of Maryland or to the city of Baltimore, the said Commissioners or a majority of them shall reduce the subscription to fifteen thousand shares, by striking off from the largest number of shares in succession until the subscriptions are reduced to fifteen thousand shares, or all the subscriptions to one share; and if there be still an excess, then lots shall be drawn by the commissioners, to determine who are to be excluded.

SECT. 4. And be it enacted, That upon every such subscription there shall be paid at the time of subscribing to the said commissioners, or to their agents, appointed to receive such subscriptions, the sum of one dollar on every share subscribed, and the residue thereof shall be paid in such instalments and at such times as it may be required by the president and directors of said company: Provided, that not more than one third of the subscription be demanded in any one year from the commencement of the work; nor any payment demanded until at least sixty days public

notice of such demand shall have been given by the said president and directors; and if any subscriber shall fail or neglect to pay any instalment or part of said subscription, thus demanded, for the space of sixty days next after the time the same shall be due and payable, the stock on which it is demanded shall be forfeited to the company, and may be sold by the said president and directors for the benefit of the company; but the president and directors may remit any such forfeiture on such terms as they shall deem proper.

Section 5. And be it enacted, That if the subscription herein made necessary to the incorporation of the said company, shall not be obtained within twelve months after the first opening of the subscription books by the said commissioners, this act and all the subscriptions under it shall be null and void; and the said commissioners, after discharging the expenses of opening the books, shall return the residue of the money paid in upon such subscriptions, to the several subscribers, in proper proportions to the sums respectively paid in by them.

Section 6. And be it enacted. That at the expiration of the ten days for which the books are first opened, if ten thousand shares of said capital stock shall have been subscribed, or if not, as soon thereafter as the same shall be subscribed, if within one year after the first opening of the books, the said commissioners, or a majority of them, shall call a general meeting of the subscribers, at such time and place as they may appoint, and shall give at least twenty days public notice thereof; and at such meeting the said commissioners shall lay the subscription books before the subscribers then and there present; and thereupon the said subscribers, or a majority of them, shall elect twelve directors, by ballot, to manage the affairs of said company, and these twelve directors, or a majority of them, shall have the power of electing a president of said company, either from among the directors or others, and of allowing him such compensation for his services as they may deem proper; and that in said election, and on all other occasions wherein a vote of the stockholders of said company is to be taken, each stockholder shall be allowed one vote for every share owned by it, him, or her, and every stockholder may depute any other person to vote and act for it, him, or her, as its, his, or her proxy; and the commissioners aforesaid, or any three or more of them, shall be judges of the said first election of directors.

Section 7. And be it enacted, That to continue the succession of the president and directors of said company, twelve directors shall be chosen annually, on the second Monday of October, in every year, in the city of Baltimore, by the stockholders of said company, and that the state of Maryland, and the city of Baltimore, may each appoint one additional director of said company, for every twenty-five hundred shares of stock of said company, by them respectively owned, at the time of such election; but shall not be permitted to vote upon their stock in the election of the directors by the stockholders in general meeting; and that the directors of said company, or a majority of them, shall have power to appoint judges of all elections, and to elect a president of said



company, either from amongst the directors or others, and to allow him such compensation for his services as they may deem proper. And if any vacancy shall occur by death, resignation or refusal to act, of any president or director, before the year for which he was elected has expired, a person to fill such vacant place for the residue of the year, may be appointed by the president and directors of said company, or a majority of them; and that the president and directors of the company shall hold and exercise their offices until a new election of president and directors; and that all elections which are by this act, or the by-laws of said company, to be made on a particular day, or at a particular time, if not made on such day, or at such time, may be made at any time within thirty days thereafter.

Section 8. And be it enacted, That a general meeting of the stockholders of said company shall be held annually at the time and place appointed for the election of the president and directors of said company; that they may be called at any time during the interval between said annual meetings by the president and directors, or a majority of them, or by the stockholders owning at least one-fourth of the whole stock subscribed, upon giving thirty days public notice of the time and place of holding the same; and when any such meetings are called by the stockholders, such notice shall specify the particular object of the call; and if, at any such called meetings, a majority (in value) of the stockholders of said company are not present, in person or by proxy, such meetings shall be adjourned, from day to day, without transacting any business, for any time not exceeding three days; and if within said three days, stockholders, having a majority (in value) of the stock subscribed, do not thus attend, such meeting shall be dissolved.

Section 9. And be it enacted, That at the regular annual meetings of the stockholders of said company, it shall be the duty of the president and directors in office for the preceding year, to exhibit a clear and distinct statement of the affairs of the company; that at any called meetings of the stockholders, a majority of those present may require similar statements from the president and directors, whose duty it shall be to furnish them when thus required; and that at all general meetings of the stockholders, a majority (in value) of all the stockholders in said company, may remove from office any president, or any of the directors of said company, and may appoint others in their stead.

Section 10. And be it enacted, That every president and director of said company, before he acts as such, shall swear or affirm, as the case may be, that he will well and truly discharge the duties of his said office to the best of his skill and judgment.

Section 11. And be it enacted, That if any of the said fifteen thousand shares of the capital stock of said company, not reserved to the city of Baltimore or to the state of Maryland, shall remain unsubscribed until the organization of the said company; or if the shares of said capital stock hereinbefore reserved to the said

state or city, or any part of them shall not be subscribed by said state or city respectively, during the time for which such stock is reserved for them; in either case, the president and directors of the said company, or a majority of them, shall have power to open books, and to receive subscriptions to any of the capital stock of said company which may thus remain unsubscribed for, or to sell or dispose of such unsubscribed stock for the benefit of the company, for any sum not under its par value; and the purchasers or subscribers of such stock shall have all the rights, powers and privileges of original subscribers, and shall be subject to the same regulations.

Section 12. And be it enacted, That the said president and directors, or a majority of them, may appoint all such officers, engineers, agents, or servants whatsoever, as they may deem necessary for the transaction of the business of the company, and may remove any of them at their pleasure; that they, or a majority of them, shall have power to determine, by contract, the compensation of all the engineers, officers, agents or servants, in the employ of said company, and to determine, by their by-laws, the manner of adjusting and settling all accounts against the company, and also the manner and evidence of transfers of stock in said company; and that they, or a majority of them, shall have power to pass all by-laws which they may deem necessary or proper for exercising all the powers vested in the company hereby incorporated, and for carrying the objects of this act into effect: Provided only, that such by laws shall not be contrary to the laws of the United States, or the laws of any of the states assenting to this act, or any of the provisions of this act.

Section 13. And be it enacted, That if the capital stock of said company shall be deemed insufficient for the purposes of this act, it shall and may be lawful for the president and directors of said company, or a majority of them, from time to time, to increase the said capital stock by the addition of as many shares as they may deem necessary, for which they may at their option cause subscriptions to be received, in the manner prescribed by them, or may sell the same for the benefit of the company, for any sum not under their par value; and that they or a majority of them, shall have power to borrow money for the objects of this act, to issue certificates or other evidences of such loans, and to pledge the property of the company for the payment of the same and its interest.

Section 14. And be it enacted, That the president and directors of said company shall be and they are hereby invested with all the rights and powers necessary to the construction and repair of a rail road from the city of Baltimore to some suitable point on the Ohio river, to be by them determined, not exceeding sixty-six feet wide; with as many sets of tracks as the said president and directors, or a majority of them, may deem necessary, and they, or a majority of them, may cause to be made, or contract with others for making, said rail road or any part of it. And



they, their agents, or those with whom they may contract for making any part of the same, or their agents, may enter upon, and use, and excavate any land which may be wanted for the site of said road, or the erection of ware houses, or other works necessary to said road, or for any other purpose necessary or useful in the construction or repair of said road or its works; and that they may build bridges, may fix scales and weights, may lay rails, may take and use any earth, timber, gravel, stone or other materials which may be wanted for the construction or repair of any part of said road or any of its works; and may make and construct all works whatsoever which may be necessary and expedient in order to the proper completion of said road; and that they or a majority of them may make or cause to be made lateral rail roads in any direction whatsoever, in connection with said rail road, from the city of Baltimore to the Ohio river; and in the construction of the same, or their works, shall have, possess, and may exercise, all the rights and powers hereby given to them in order to the construction or repair of the said rail road from the city of Baltimore to the Ohio river.

Section 15. And be it enacted, That the president and directors of said company or a majority of them, or any person or persons authorised by a majority of them, may agree with the owner or owners of any land, earth, timber, gravel, stone or other materials, or any improvements, which may be wanted for the construction or repair of any of said roads, or of any of their works, for the purchase or use and occupation of the same: and if they cannot agree or if the owner or owners, or any of them be a feme covert, under age, non compos mentis, or out of the county in which the property wanted may lie, where such land or materials shall be wanted, application may be made to any justice of the peace of such county, who shall thereupon issue his warrant under hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, not related, nor in anywise interested, to meet on the land, or near to the other property or materials to be valued, on a day named in said warrant, not less than ten nor more than twenty days after the issuing of the same, and if at said time and place any of said jurors summoned do not attend, the said sheriff shall immediately summon as many jurors as may be necessary with the jurors in attendance, to furnish a pannel of twenty jurors in attendance, and from them each party, or its, his, her or their agent, if either be not present in person or by agent, the sheriff, for him, her, it or them, may strike off four jurors, and the remaining twelve shall act as the jury of inquest of damages; and before they act as such the said sheriff shall administer to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the damages which the owner or owners will sustain by the use or occupation of the same required by the company; and the jury in estimating such damages shall take into the estimate the benefit resulting to the said owner or owners from conducting such rail road through, along or near to the

property of said owner or owners, but only in extinguishment of the claim for damages; and the said jury shall reduce their inquisition to writing and shall sign and seal the same, and it shall then be returned by said sheriff to the clerk or prothonotary of his county, as the case may be, and by such clerk or prothonotary filed in his court, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shewn, and when confirmed shall be recorded by said clerk or prothonotary, at the expense of said company; but if set aside, the said court may direct another inquisition to be taken in the manner above prescribed; and such inquisition shall describe the property taken, or the bounds of the land condemned, and the quantity or duration of the interest in the same, valued for the company, and such valuation, when paid or tendered to the owner or owners of said property or his, her, or their legal representatives shall entitle the said company to the estate and interest in the same thus valued, as fully as if it had been conveyed by the owner or owners of the same; and the valuation if not received when tendered, may at any time thereafter be received from the company without costs, by the said owner or owners, or his, her or their legal representative or representatives.

Section 16. And be it enacted, That, whenever, in the construction of said road or roads, it shall be necessary to cross or intersect any established road or way, it shall be the duty of the president and directors of said company so to construct the said road across such established road or way, as not to impede the passage or transportation of persons or property along the same; or where it shall be necessary to pass through the land of any individual, it shall also be their duty to provide for such individual, proper wagon ways across said road or roads, from one part of his land to the other.

Section 17. And be it enacted, That whensoever it shall be necessary for said company to have, use, or occupy any lands, materials or other property, in order to the construction or repair of any part of said road or roads, or their works or necessary buildings, the president and directors of said company, or their agent, or those contracting with them for making or repairing the same, may immediately take and use the same, (they having first caused the property wanted to be viewed, by a jury formed in the manner hereinbefore prescribed in those cases where the property is to be changed or altered, by admixture with other substances before such alteration is made,) and that it shall not be necessary, after such view, in order to the use or occupation of the same, to wait the issue of the proceedings upon such view; and the inquest of the jury, after confirmation, and after payment or tender of the valuation, shall be a bar to all actions for taking or using such property, whether commenced before or after such confirmation, or the payment of said valuation.

Section 18. And be it enacted, That the said president and directors, or a majority of them, shall have power to purchase, with

the funds of said company, and place on any rail road constructed by them under this act, all machines, wagons, vehicles or carriages, of any description whatever, which they may deem necessary or proper for the purpose of transportation on said road; and they shall have power to charge for tolls upon (and the transportation of persons) goods, produce, merchandise or property of any kind whatsoever, transported by them along said rail way, from the city of Baltimore to the Ohio river, any sum not exceeding the following rates, viz, on all goods, produce, merchandise or property of any description whatsoever, transported by them from west to east, not exceeding one cent a ton per mile for toll, and three cents a ton per mile for transportation; on all goods, produce, merchandise or property of any description whatsoever, transported by them from east to west, not exceeding three cents a ton per mile for tolls, and three cents a ton per mile for transportation: and for the transportation of passengers not exceeding three cents per mile for each passenger: And it shall not be lawful for any other company, or any person or persons whatsoever to travel upon, or use any of the roads of said company, or to transport persons, merchandise, produce or property of any description whatsoever, along said roads or any of them without the license or permission of the President and Directors of said Company; and that the said Road or Roads, with all their works, improvements and profits, and all the machinery of transportation used on said road, are hereby vested in the said Company incorporated by this act, and their successors forever. And the shares of the Capital stock of the said company shall be deemed and considered personal estate, and shall be exempt from the imposition of any tax or burthen by the States assenting to this Law.

Section 19. And be it enacted, That the said president and directors shall annually or semi-annually declare and make such dividend as they may deem proper, of the nett profits arising from the resources of the said company, after deducting the necessary current and probable contingent expenses; and that they shall divide the same amongst the proprietors of the stock of said company, in proper proportions to their respective shares.

Section 20. And be it enacted, That if any person or persons shall wilfully, by any means whatsoever, injure, impair or destroy any part of any rail road constructed by said company under this act, or any of their necessary works, buildings, carriages, vehicles or machines of said company: such person or persons so offending, shall each of them, for every such offence forfeit and pay to the said company the sum of five hundred dollars, which may be recovered in the name of said company, by an action of debt, in the county court of the county wherein the offence shall be committed, and shall also be subject to indictment in said court, and upon conviction of such offence, shall be punished by fine and imprisonment, in the discretion of the court.

**Section 21.** And be it enacted, That as soon as this act shall have been passed by the legislature of Maryland, books may be opened, subscriptions received, and the said company organized; and that when organized, the said company and the president and directors of the same, shall have all the powers, rights and privileges granted by this act, and shall be subject to all its regulations, in constructing or repairing any of the said rail roads or other necessary works or buildings, which may or can be constructed with; in the limits of the state of Maryland; and in transporting persons, goods, merchandize or property of any description along any of said roads; and that the provisions of this act shall be wholly in force, as to all the property of the company which may be situated or may be within the state of Maryland, and which said company is permitted to hold under this act.

**Section 22.** And be it enacted, That if said road shall not be commenced in two years from the passage of this act, and shall not be finished within this state in ten years from the time of the commencement thereof, then this act shall be null and void.

**Section 23.** And be it enacted, That full right and privilege is hereby reserved to the citizens of this state or any company hereafter to be incorporated under the authority of this state, to connect with the road hereby provided for, any other rail road leading from the main route to any part or parts of this state: Provided, That in forming such connexion no injury shall be done to the works of the company hereby incorporated.

We certify the foregoing act, to be a true copy of the original, which passed both branches of the legislature of Maryland, at their December session, one thousand eight hundred and twenty-six.

Given under our hands, at the city of Annapolis, this fifth day of March, one thousand eight hundred and twenty-seven.

W. KILTY,

*Clerk Senate of Maryland.*

GIDEON PEARCE,

*Clerk House of Delegates of Maryland.*

On motion,

Said memorial and act were referred to the committee on roads, bridges and inland navigation.

Mr. Duncan presented the memorial of the chamber of commerce, of Philadelphia, remonstrating against the passage of the bill entitled

"A further supplement to the act entitled an act to establish a board of warrens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned.

Mr. Herbert presented five remonstrances, of similar tenor, from sundry citizens of Cumberland county, against annexing the township of Shippensburg, in said county, to the county of Franklin.

Said memorial and remonstrances were laid on the table.

Mr. Logan presented the petition and documents of Frederick Boyer, of York county, a revolutionary soldier, praying for compensation for a tract of donation land.

Which were referred to the committee on claims.

Mr. Logan presented the petition of the association formed in the county of York for the detection of horse thieves, praying for an act of incorporation

Which was read and referred to Messrs. Logan, Herbert and Ryon.

Mr. Emlen presented a document relating to the petition of William Pool, of Philadelphia, praying for authority to recover a sum of money from the Perry Beneficial Society of Pennsylvania.

Which was referred to the committee who have that subject under consideration.

On motion of Mr. Ryon and Mr. Logan,

Ordered, That one thousand copies of the message of the governor and its accompanying document presented yesterday, be printed for the use of the members.

On motion of Mr. Kerlin and Mr. Mann,

Ordered, That Messrs. Kerlin, Allshouse, Mann, Ogle and Herbert be a committee, in conjunction with a similar committee from the House of Representatives, (already appointed) to confer on the amendments by the House of Representatives non-concurred in by the Senate to bill No. 81, entitled

A supplement to the act entitled an act to erect the town of Chester and its vicinity in the county of Delaware into a borough and for other purposes therein mentioned.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Kelley, from the committee on the subject, on leave given, reported bill No. 196, entitled

"An act to aid the American colonization society."

Mr. Hamilton read in his place, and on leave given, presented to the chair bill No. 197, entitled

"An act incorporating the Lancaster County Academy."

Mr. Leech read in his place, and on leave given, presented to the chair, bill No. 198, entitled

"An act to enable the Governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the Centre of Vernon, in the county of Trumbull, in the state of Ohio."

Mr. Dunlop read in his place, and on leave given, presented to the chair, bill No. 199, entitled

"An act prescribing a mode of recovering legacies charged upon lands."

Said bills were read the first time.

On motion of Mr. Sutherland and Mr. Ogle,

The following resolution was twice read, considered and adopted:

"Resolved, That the Clerk of the Senate be directed to purchase ten copies of Gordon's Digest of the laws of the United States, for the use of the Senate, provided, the price per copy, shall not exceed seven dollars."

The Clerk of the House of Representatives being introduced, presented for concurrence the Bills entitled as follow, viz.

No. 200. An act to enable the governor to incorporate a company for making an artificial turnpike road from the Delaware state line, on the road leading from Wilmington, Delaware, through Chester and Darby, in Delaware county, to the city of Philadelphia, so as to intersect the Philadelphia, Brandywine and New London turnpike road.

No. 201. An act to authorise the governor to incorporate a company for erecting a bridge over the river Susquehanna, near the north line of Pennsylvania, in Harmony township, Susquehanna county.

No. 202. An act to incorporate the Philadelphia towing boat company.

No. 203. A supplement to an act entitled "An act for establishing and building a bridge across the river Lehigh, at Bethlehem, in the county of Northampton," passed April 3d, A. D. 1792.

No. 204. An act to authorise the Governor to incorporate a company to erect a bridge over the north east branch of the Susquehanna river, at or near the village of Athens, in the county of Bradford.

Said bills were read the first time.

The Senate resumed the second reading and consideration of resolution, No. 88, from the House of Representatives, entitled

"Resolution relative to the report of the commissioners appointed to revise the penal code."

The question recurring,

Will the Senate agree to the first section?

A motion was made by Mr. Sullivan and Mr. Sutherland,

To amend the same, by striking therefrom all that follows the word "report," in the fifth line, to the end of the section.

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Kelley and Mr. Hamilton.

To postpone the question, together with the resolution, until Monday the 12th instant.

Which was agreed to.

The Senate resumed the second reading and consideration of bill No. 183, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth."

The question again recurring,

Will the Senate agree to the fourth section?

A motion was made by Mr. King and Mr. Winter,

To amend the section, by striking out of the eighth line, the following: "court of quarter sessions of the peace," and inserting in lieu thereof the following: "judges of the courts of common pleas."

Which was agreed to.

A motion was then made by Mr. King and Mr. Herbert,

Further to amend the section, by striking out of the ninth line the following: "at some regular term of such court," and by striking out all that follows the word court, in the tenth line, to the word and, inclusive, in the 11th line.

Which was agreed to.

The section, as amended, was then agreed to.

The fifth and sixth sections were considered and agreed to.

The seventh section being under consideration,

A motion was made by Mr. King and Mr. Herbert,

To amend the same, by inserting, after the word "aforesaid," in the sixth line, the following: "and shall be thereof convicted."

Which was agreed to.

The section, as amended, was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Kerlin and Mr. King,

To postpone the question for the present, for the purpose of reconsidering the third section of the bill.

Which was agreed to.

On the question,

Will the Senate reconsider the third section of the bill?

It was determined in the affirmative.

The third section being again under consideration,

A motion was made by Mr. Kerlin and Mr. King,

To amend the same, by inserting in the eighth line, after the



word "every," where it first occurs, the following: "testatum fieri facias, and every."

Which was agreed to.

On the question,

Will the Senate agree to the section as amended,

A motion was made by Mr. Kerlin and Mr. Power,

To postpone the question, together with the bill, until to-morrow.

Which was agreed to.

On motion of Mr. Ogle and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Ryon in the chair, on resolution No. 175, from the House of Representatives, entitled,

"Resolution relative to the farther distribution of the laws."

After some time,

The committee rose and the chairman reported the resolution with an amendment.

On motion of Mr. Ogle and Mr. Hamilton,

Said resolution was read the second time, and

Ordered, To be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 166, from the House of Representatives, entitled

"An act to repeal an act establishing a district court in the county of Dauphin."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Seltzer and Mr. Allshouse,

Said bill was read the second time.

The first and only section being under consideration,

A motion was made by Mr. King and Mr. Winter,

To amend the same, by striking out of the ninth line the following: "and as if the aforesaid act had never been passed."

Which was agreed to.

The section, as amended, together with the title, were then agreed to, and

Ordered, That said bill be prepared for the third reading.

On motion of Mr. Sutherland and Mr. Ogle.

The Senate resolved itself into a committee of the whole, Mr. Sturgeon in the chair, on bill No. 170, entitled

"A supplement to an act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia."



After some time,  
The committee rose and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, to-morrow morning.

## SATURDAY, March 10, 1827.

Mr. Kitchen presented the petition of sundry citizens of Bucks county, praying for the repeal of the law relating to collateral inheritances.

Which was read and laid on the table.

Mr. Logan, from the committee on the subject, on leave given, reported bill, No. 205, entitled

"An act incorporating the York county association for apprehending horse thieves."

Mr. Emlen, from the committee on banks, reported bill No. 206, entitled

"A supplement to the act entitled an act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania."

Mr. Herbert read in his place, and on leave given, presented to the chair, bill No. 207, entitled

"An act to provide for the settlement of the concerns of the Farmers and Mechanics Bank of Green Castle."

Mr. Kitchen read in his place, and on leave given, presented to the chair, bill No. 208, entitled

"A supplement to an act entitled an act to erect the town of Morrisville into a borough."

Mr. Hambright read in his place, and on leave given, presented to the chair, bill No. 209, entitled

"An act to vest in Ann Maria Kamrer, the right of this commonwealth to the real and personal estate of her illegitimate son, John M'Gray, late of Warwick township, Lancaster county."

Mr. Duncan read in his place, and on leave given, presented to the chair, bill No. 210, entitled

"An act to authorise the committee of the estate of Charles Willing Hare, to sell and convey real estate"

Said bills were read the first time."

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 211. "An act authorising James Watson to sell and convey a tract of land, in Bedford county, of which Samuel Moore died seized."

No. 212. "An act authorising the administrators of Henry Hurst, deceased, to sell and convey real estate."

No. 213. "An act to authorise Philip J. King, of York, to sell a certain house and lot of ground, situate in the borough of York. and to execute a title for the same; and to enable Benjamin Moser, and Christian Moser, administrators of Dr. John Moser, deceased, to convey certain real estate."

No. 214. "An act to authorise the trustees of Athens township, Bradford county, to convey certain lands."

No. 215. "A supplement to the act entitled an act authorising the executors of Robert Brooke and others, to sell and convey certain real estate."

No. 216. "An act authorising the guardian of the minor children of John E. Latta, to sell and convey certain real estate."

No. 217. "An act authorising John Hunter, of the county of Delaware, to sell and convey certain real estate."

No. 218. "An act to authorise the trustees of the Methodist meeting house, in Germantown, in the county of Philadelphia, to dispose of the same."

No. 219. "An act supplementary to an act authorising the executors of James Anderson, deceased, to sell certain real estate of the testator, passed the 11th day of April, A. D. 1825."

No. 220. "A supplement to an act to provide for the erection of a house of employment and support of the poor, in and for the county of Berks, and for other purposes."

No. 221. "An act to enable the guardians of the minor children of Thomas I. Paschall and Mary H. Morris, to sell and lease on improvement certain land in Schuylkill county."

No. 222. "An act vesting certain powers in the administrators of the estate of James Elliott, deceased."

Said bills were read the first time.

Resolution No. 175, from the House of Representatives, entitled "Resolution relative to the further distribution of the laws,"

Was read the third time and passed.

Ordered, That the Clerk return said resolution to the House of Representatives, with information that the Senate have passed the same with an amendment, in which the concurrence of that House is requested.

Bill No. 166, from the House of Representatives, entitled  
"An act to repeal an act establishing a district court in the county of Dauphin,"

Was read the third time.

On the question,  
Shall this bill pass?

A motion was made by Mr. Seltzer and Mr. Allshouse,  
To postpone the question, together with the bill, for the present.

Which was agreed to.

The Senate resumed the second reading and consideration of bill, No. 163, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth."

The same being again under consideration,

The question recurring,

Will the Senate agree to the third section, as amended?

A motion was made by Mr. King and Mr. Leech.

To postpone the question, together with the bill, until Tuesday the 13th inst.

Which was agreed to.

Bill No. 170, entitled

"A supplement to an act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia,"

Was read a second time.

The same being under consideration,

A motion was made by Mr. Sutherland and Mr. Ogle,

To postpone the further consideration of the bill until Monday the 12th instant.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Sullivan in the chair, on bill No. 131, from the House of Representatives, entitled,

"An act to annul the marriage contracts of Nicholas Black and Fanny his wife, William Fleming and Rebecca his wife, and John C. Hale (otherwise John Hill) and Matilda his wife."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Monday the twelfth instant.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on bill No. 194, from the House of Representatives, entitled,

"An act incorporating the Theological Seminary of the associate Reformed Synod of the west."

After some time,

The committee rose and the chairman reported the bill with an amendment.

Adjourned until 10 o'clock, on Monday morning next.

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## MONDAY, March 12, 1827.

Mr. Kitchen presented the memorial of sundry citizens of Bucks county, praying for the repeal of the law relating to collateral inheritances, and remonstrating against the construction of Pennsylvania Canal.

Mr. Mann presented the memorial of the corporation of the Evangelical Lutheran church of St. Peter's, at Barren Hill, praying for authority to raise a sum of money by way of lottery.

Mr. Kerlin presented the memorial of sundry citizens of Delaware county, remonstrating against the incorporation of a company for making a turnpike road, from the Delaware state line, through Chester and Darby, to intersect the Philadelphia and Chadsford turnpike road.

Said memorials were laid on the table.

Mr. Ryon presented the petition of the Clifford and Wilkesbarre turnpike road company, praying that the appropriation of twenty-five hundred dollars, made to said road, may be applied to that part of the road lying between the Waterton and Great Bend turnpike road and Richardson's tavern.

Which was referred to the committee on roads, bridges and inland navigation.

Mr. Durdop, from the committee to whom was referred the petition of William Pool, of the city of Philadelphia, praying for relief against the Perry Beneficial Society of Pennsylvania, beg leave to report: That they have carefully examined the complaint of the petitioner, and that, from the documents submitted to their examination, it appears, that the petitioner has obtained a judgment against the society for two hundred and twenty-nine dollars and fifty-six cents, in the District court of Philadelphia, which the society are, as is alledged, able and unwilling to pay. Your committee deem it of no consequence to enter into a detail of the means pursued by the petitioner to obtain satisfaction of his claims, or of the grounds of complaint urged by the society against him, or their reasons for refusing the payment of the judgment. It is asserted by the petitioner, and admitted by the society, that there exists a judgment obtained by the petitioner against the society, which your committee are bound to consider as a legal and subsisting claim—that the society have evaded and refused the payment of it—that the petitioner has used every legal means known to the law for the recovery thereof—and that the funds of the society are beyond the reach of legal process. Your committee have to regret the inadequacy of the law to remedy evils like those complained of; and are fully aware that the rapid multiplication of incorporated institutions in the commonwealth, when the members are not liable in their individual capacity for the debts of the companies, must necessarily introduce numberless instances of debts contracted and payments evaded. They view it as a defect in the law of the land, that whilst a mode is provided of enforcing the discovery of the estate of individual debtors, by the arrest of their persons, that corporate bodies have it in their power to elude the payment of their debts by an investment of their funds in such securities as are not within the grasp of the process of the law, and are thus enabled to defy the attempts of their creditor to obtain the payment of his claims. Such bodies, from the nature of their existence, not being liable to arrest, and such of their property as is subject to seizure under a fieri facias, being alone within the grasp of an execution, and the courts having no power to enforce a disclosure of the state of their funds, or to sequester their profits or estate for the benefit of their creditors, incorporated societies are in a great measure beyond the control of the law, and are enabled to contract debts to the limits of their credit, and disregard the clamours of their creditors. The committee wish not to reflect upon the Perry Beneficial Society, or apply these remarks peculiarly to them, as they will not enquire into the motives, which for aught the committee know, may be justifiable enough, that have induced them to reexamine upon the petitioner, and refuse the payment of his claim; but they have been led into these observations in expectation of the many causes of wilful injury or neglected justice which will flow from the operations of the numerous incorporated institutions which are springing up in every quarter of the commonwealth.

Your committee therefore offer the following resolution:

Resolved, That they be instructed to bring in a bill providing for the enforcement of the payment of debts due by incorporated companies, when their estate cannot be reached by the ordinary process of the law.

On motion of Mr. Dunlop and Mr. Ogle,

The resolution attached to the above report was read the second time, considered and adopted.

Mr. Hawkins, from the committee on the judiciary system, to whom was committed bill No. 179, entitled

"A further supplement to an act entitled an act entitled an act for the better confirmation of the estates of persons holding or claiming under feme coverts, and for establishing a mode in which husband and wife may hereafter convey their estates."

Reported bill No. 223, with a similar title.

On motion of Mr. Ogle and Mr. Hawkins,

The resolution presented on the eighth day of February last, relative to the laying out of state roads,

Was read the second time, considered and adopted.

Ordered, That the said resolution be referred to the committee on roads, bridges and inland navigation.

The Senate resumed the second reading and consideration of the amendments by the House of Representatives, to bill No. 27, entitled

"A further supplement to the act entitled an act to establish a board of warrens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

The same being again under consideration,

A motion was made by Mr. Sutherland and Mr. Leech,

To postpone the further consideration of the amendment until to-morrow.

Which was agreed to.

The Senate resumed the second reading and consideration of bill No. 25, from the House of Representatives, entitled

"An act authorising the governor to incorporate the Schuylkill Valley Navigation Company."

The sections were severally considered and agreed to.

The title was considered and agreed to, after being amended by adding thereto the following words: "and for other purposes."

Ordered, That said bill be prepared for the third reading.

The Senate resumed the second reading and consideration of resolution No. 88, from the House of Representatives, entitled

"Resolution relative to the report of the commissioners appointed to revise the penal code."

The first section being again under consideration,

The question recurring,

Will the Senate agree so to amend?

It was determined in the affirmative.

The section, as amended, was then agreed to.

The title was considered and agreed to.

Ordered, That said resolution be prepared for the third reading.

The Senate resumed the second reading and consideration of bill No. 170, entitled

"A supplement to an act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia."

The same being again under consideration,

A motion was made by Mr. Sutherland and Mr. Duncan,

To postpone the further consideration of the bill until Friday the 16th inst.

Which was agreed to.

Bill No. 194, entitled

"An act incorporating the theological seminary of the associate synod of the west,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Sullivan and Mr. Duncan,

To amend the same, by inserting, in the 16th line, after the word "value," the words "or income."

Which was not agreed to.

On the question,

Will the Senate agree to the first section?

The yeas and nays were required by Mr. Ogle and Mr. Kerlin, and are as follow, viz.:

YEAS.

YEAS.

Messrs. Duncan,  
Garber,  
Hambright,  
Hamilton,  
Hay,  
Herbert,  
Leech,

Messrs. Mann,  
Moore,  
Power,  
Sturgeon,  
Sullivan,  
Sutherland,  
Mahon, speaker.

14.

## NAYS.

Messrs. Allshouse,  
Dunlop,  
Hawkins,  
Hunt,  
Kerlin,  
King,

## NAYS.

Messrs. Kitchin,  
Knight,  
Ogle,  
Schall,  
Seltzer,  
Winter,

12

So it was determined in the affirmative.

The remaining sections, together with the title, were severally considered and agreed to.

On the question,

Shall this bill be transcribed for the third reading?

A motion was made by Mr. Duncan and Mr. Sullivan,

To postpone the question, together with the bill, for the present.

Which was agreed to.

Adjourned until 10 o'clock, to-morrow morning.

## TUESDAY, March 13, 1827.

Mr. Leech presented the petition and documents of Hugh Means, of Mercer county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Mr. Ryon presented the petition of sundry citizens of Susquehanna county, praying for certain alterations in the act incorporating the Lackawanna and Susquehanna rail road company.

Mr. Herbert presented the remonstrance of sundry citizens of Cumberland county, against annexing Shippensburg township, in said county, to the county of Franklin.

Said petition and remonstrance were laid on the table.

The Speaker laid before the Senate a letter from William Strickland and Charles Mowry, inviting the members of the Senate to attend at the laying of the corner stone of the Penn lock, on the Pennsylvania Canal, this day, at half past one o'clock.

Which was read and laid on the table.



Mr. Knight, from the committee on roads, bridges, and inland navigation, reported bill No. 224, entitled

"An act to authorise the Baltimore and Ohio rail road company, to construct a rail road through Pennsylvania, in a direction from Baltimore to the Ohio river."

Mr. King, from the committee on the subject, on leave given, reported bill, No. 225, entitled

"An act to enable John Seagar, administrator de bonis non, &c. of Peter Miffler, deceased, to make title to real estate."

Said bills were read the first time.

Bill and resolution from the House of Representatives, numbered and entitled as follow, were severally read the third time and passed, viz.

No. 25. "An act authorising the governor to incorporate the Schuylkill Valley navigation company."

No. 88. "Resolution relative to the report of the commissioners appointed to revise the penal code."

Ordered, That the clerk return said bill and resolution to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

A motion was made by Mr. Ogle and Mr. King, and read as follows:

Whereas the constitution of Pennsylvania expressly declares, that the legislature shall provide by law for the education of the poor gratis: And whereas the perpetuation of our republican institutions depends upon the virtue and intelligence of the people; and as the constitution of our state, as well as the patriotism and philanthropy, has made it the duty of our law givers to educate the poor gratis, so it is their duty to place in the hands of those children books which have a tendency to inspire the youthful mind with elevated sentiments and patriotic devotion to liberty as well as a knowledge of the history of our country. And whereas a work has been compiled by one of our citizens, calculated to have that effect and peculiarly adapted to use as a school book.

Therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assembly met, That it is hereby recommended to the commissioners of the several counties of this state, to furnish each child which may be instructed at the public expense, when it shall have attained the age of ten years, with one copy of Rogers' American Biographical Dictionary: Provided that the said book can be purchased at a price not exceeding 62½ cents per copy.

Said resolution was read the first time.

The Senate resumed the second reading and consideration of the amendments by the House of Representatives to bill No. 27, entitled

"A further supplement to the act entitled an act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."

The same being again under consideration,  
A motion was made by Mr. Sutherland and Mr. Leech,  
That the Senate concur in the amendment.

On the question,  
Will the Senate concur?

A motion was made by Mr. Duncan and Mr. Hamilton,  
To postpone the question, together with the amendment and bill, indefinitely.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Garber and Mr. Seltzer, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried,	Messrs. Kerlin,
Duncan,	King,
Dunlop,	Kitchin,
Balen,	Logan,
Garber,	Mann,
Mambricht,	Moore,
Hamilton,	Power,
Hawkins,	Ray,
Hay,	Ryon,
Herbert,	Schall,
Hunt,	Sturgeon,
Kelley,	Mahon, Speaker, 24.
NAYS.	NAYS.
Messrs. Allshouse,	Messrs. Sullivan,
Knight,	Sutherland,
Leech,	Winter,
Seltzer,	7.

So it was determined in the affirmative.

The Senate resumed the second reading and consideration of bill, No. 146, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth."

The question recurring,  
Will the Senate agree to the third section, as amended?

A motion was made by Mr. King and Mr. Winter,  
To amend the section, by inserting after the word "made," in

the 19th line, the following: "And whenever any transcript of any testatum execution, or any transcript shewing the balance appearing to be due from any executor, administrator or guardian, or from any collector of any township, ward or district shall be delivered to any of the said prothonotaries, the docket entries made in such case shall be copied into the said judgment dockets, in like manner as judgments and awards are herein directed to be copied."

Which was agreed to.

A motion was then made by Mr. Kerlin and Mr. King,

That the Senate re-consider the vote taken on introducing as an amendment in the eight line these words, "testatum fieri facias and every."

Which was agreed to.

The question recurring,

Will the Senate agree to amend the section by inserting, in the eighth line, the words "testatum fieri facias and every?"

It was determined in the negative.

The question again recurring,

Will the Senate agree to the third section, as amended?

It was determined in the affirmative.

The question then recurring,

Will the Senate agree to the title?

It was determined in the affirmative.

Ordered, That said bill be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hamilton in the chair, on bill No. 100, entitled

"An act appropriating a sum of money to the erection of a bridge over the Yellow Breeches creek."

After some time,

The committee rose and the chairman reported the bill without amendment.

On motion of Mr. Dunlop and Mr. Logan,

The Senate again resolved itself into a committee of the whole, Mr. Ryon in the chair, on bill No. 119, entitled,

"An act concerning unpatented lands."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to-morrow.

A motion was made by Mr. Kelley and Mr. Ogle,

That the Senate adjourn.

On the question,

Will the Senate adjourn?

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No. 218, from the House of Representatives, entitled

"An act to authorise the trustees of the Methodist meeting house, in Germantown, in the county of Philadelphia, to dispose of the same."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Logan in the chair, on bill No. 221, from the House of Representatives, entitled,

"An act to enable the guardians of the minor children of Thomas J. Paschall and Mary H. Morris, to sell and lease on improvement certain land in Schuylkill county."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 228, from the House of Representatives, entitled

"An act to enable the Governor to incorporate a company to make a turnpike road from the northern termination of the York and Conewago turnpike road to the west end of the Harrisburg bridge."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cagle in the chair, on bill No. 229, from the House of Representatives, entitled

"A further supplement to the act entitled an act to authorise the governor to incorporate a company for erecting a bridge over the river Susquehanna, at the town of Danville."

After some time,

The committee rose and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on resolution No. 241, from the House of Representatives, entitled

"Resolution relative to infant schools, in the first school district of Pennsylvania."

these, viz:—that he enlisted under general Polaski, in the continental establishment in the revolutionary war, and served to the close of the same. But general Polaski's regiment was not attached to the Pennsylvania line, which must be the case, to entitle persons claiming donation land. Your committee, therefore, conceive the petitioner is not entitled to donation land; and inasmuch as he is now receiving a pension from the general government of 96 dollars annually, and also 40 dollars from this commonwealth, your committee consider him amply provided for, and therefore offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Hunt,

The resolution attached to the above report was read the second time, considered and adopted.

Bill No. 183, from the House of Representatives, entitled

"An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth,"

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives have concurred in the amendments by the Senate, to the bill No. 25, from the House of Representatives, entitled "An act authorising the governor to incorporate the Schuylkill Valley navigation company," with an amendment, in which the concurrence of the Senate is requested.

On motion of Mr. Audenried and Mr. Schall,

The amendment to the amendment was twice read, considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

The Clerk also informed that the House of Representatives have not concurred in the amendment by the Senate, to the resolution No 88, from the House of Representatives relative to the report of the commissioners appointed to revise the penal code.

Laid on the table.

On motion of Mr. Ogle and Mr. Ray,

Resolution No. 226, entitled

"Resolution recommending to county commissioners to furnish children educated at the public expense, with Roger's Biographical Dictionary,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Audenried and Mr. Schall,

To amend the same, by inserting, after the word "Dictionary," the following, "with the constitution of this state, and of the United States bound thereto."

Which was agreed to.

On the question,

Will the Senate agree to the resolution as amended?

A motion was made by Mr. Duncan and Mr. Petrikin,

To postpone the question for the present, and that the resolution be committed to the committee on education.

Which was not agreed to.

The question recurring,

Will the Senate agree to the resolution as amended?

The yeas and nays were required by Mr. Duncan and Mr. Ogle, and are as follow, viz..

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Dunlop, Hambright, Hamilton, Hay, King, Kitchin, Leech, Logan,	Messrs. Ogle, Power, Ray, Ryon, Schall, Seltzer, Sullivan, Sutherland, Winter, Mahon, speaker, 20.
NAYS.	NAYS.
Messrs. Duncan, Emlen, Garber, Hawkins, Herbert, Kelley,	Messrs. Kerlin, Knight, Mann, Moore, Petrikin, 11.

So it was determined in the affirmative.

The preamble and title were severally considered and agreed to.

Ordered, That said resolution be transcribed for the third reading.

Bill No. 100, entitled

"An act appropriating a sum of money to the erection of a bridge over Yellow Breeches creek,"

Was read the second time.

The first and only section being under consideration,

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Allshouse and Mr. Hamilton, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Duncan,  
Hambright,  
Hamilton,  
Herbert,  
Kelley,  
King,  
Knight,  
Leech,  
Logan,

NAYS.

Messrs. Allshouse,  
Garber,  
Hawkins,  
Hay,

YEAS.

Messrs. Moore,  
Ogle,  
Petrikin,  
Power,  
Ryon,  
Schall,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, speaker, 20.

NAYS.

Messrs. Hunt,  
Kerlin,  
Kitchin,  
Ray. 8.

So it was determined in the affirmative.

The title was considered and agreed to, and

Ordered, That said bill be transcribed for the third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole,  
Mr. Ryon in the chair, on bill No. 119, entitled

"An act concerning unpatented lands"

After some time,

The committee rose, the chairman reported progress, and the  
committee obtained leave to sit again on to-morrow.

On motion of Mr. Duncan and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr.  
Kelley in the chair, on bill No. 110, entitled

"An act to authorise the committee of the estate of Charles  
Willing Hare, to sell and convey real estate."

After some time,

The committee rose and the chairman reported the bill with  
amendments.

On motion of Mr. Duncan and Mr. Logan,

Said bill was read the second time, and

Ordered, To be transcribed for the third reading.

On motion of Mr. Ogle and Mr. Seltzer,

The rule for going into a committee of the whole, being in this  
case dispensed with

Bill No. 178, entitled

"A further supplement to the act entitled an act for the regula-  
tion of the militia of this commonwealth,"

Was read the second time.

The first section was considered and agreed to.

To amend the same, by inserting, after the word "Dictionary," the following, "with the constitution of this state, and of the United States bound thereto."

Which was agreed to.

On the question,

Will the Senate agree to the resolution as amended?

A motion was made by Mr. Duncan and Mr. Petrikin, To postpone the question for the present, and that the resolution be committed to the committee on education.

Which was not agreed to.

The question recurring,

Will the Senate agree to the resolution as amended?

The yeas and nays were required by Mr. Duncan and Mr. Ogle, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Dunlop, Hambright, Hamilton, Hay, King, Kitchin, Leech, Logan,	Messrs. Ogle, Power, Ray, Ryon, Schall, Seltzer, Sullivan, Sutherland, Winter, Mahon, speaker,
NAYS.	NAYS.
Messrs. Duncan, Emlen, Garber, Hawkins, Herbert, Kelley,	Messrs. Kerlin, Knight, Mann, Moore, Petrikin,
	20.
	11.

So it was determined in the affirmative.

The preamble and title were severally considered and agreed to.

Ordered, That said resolution be transcribed for the third reading.

Bill No. 100, entitled

"An act appropriating a sum of money to the erection of a bridge over Yellow Breeches creek,"

Was read the second time.

The first and only section being under consideration,

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Allshouse and Mr. Hamilton, and are as follow, viz.



YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Moore,	
Duncan,		Ogle,	
Hambright,		Petrikín,	
Hamilton,		Power,	
Herbert,		Ryon,	
Kelley,		Schall,	
King,		Sullivan,	
Knight,		Sutherland,	
Leech,		Winter,	
Logan,		Mahon, speaker,	20.
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Hunt,	
Garber,		Kerlin,	
Hawkins,		Kitchin,	
Hay,		Ray,	8.

So it was determined in the affirmative.

The title was considered and agreed to, and

Ordered, That said bill be transcribed for the third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Ryon in the chair, on bill No. 119, entitled

"An act concerning unpatented lands "

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to-morrow.

On motion of Mr. Duncan and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Kelley in the chair, on bill No. 110, entitled

"An act to authorise the committee of the estate of Charles Willing Hare, to sell and convey real estate "

After some time,

The committee rose and the chairman reported the bill with amendments.

On motion of Mr. Duncan and Mr. Logan,

Said bill was read the second time, and

Ordered, To be transcribed for the third reading.

On motion of Mr. Ogle and Mr. Seltzer,

The rule for going into a committee of the whole, being in this case dispensed with

Bill No. 178, entitled

"A further supplement to the act entitled an act for the regulation of the militia of this commonwealth,"

Was read the second time.

The first section was considered and agreed to.

The second and third sections were considered and disagreed to.

The fourth, now second section, being under consideration,

A motion was made by Mr. Dunlop and Mr. Logan,

To postpone the further consideration of the section and bill for the present.

Which was agreed to.

On motion of Mr. Ryon and Mr. Moore,

The rule for going into a committee of the whole, being in this case dispensed with,

Bill No. 206, entitled

"A supplement to the act entitled an act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania,"

Was read the second time.

The first and only section being under consideration,

A motion was made by Mr. Ryon and Mr. Moore,

To amend the same, by filling the blank, in the 8th line, with the word "three."

Which was agreed to.

A motion was then made by Mr. Herbert and Mr. Knight,

To amend the section, by striking out of the eighth and ninth lines the following: "together with all necessary expenses incurred by them."

Which was agreed to.

A motion was made by Mr. Ryon and Mr. Emlen,

Further to amend the section, by inserting before the word "treasurer," in the eleventh line, the word "state."

Which was agreed to.

A motion was then made by Mr. Kitchin and Mr. Ryon,

That the Senate re-consider the vote on filling the blank, in the eighth line, with the word "three."

Which was agreed to.

The question then recurring,

Will the Senate agree to fill the blank with the word "three?"

It was determined in the negative.

A motion was then made by Mr. Kitchin and Mr. Ryon,

To fill the blank with the word "five."

Which was not agreed to.

A motion was then made by Mr. Kitchin and Mr. Logan,

To fill the blank with the word "four."

Which was agreed to.

On the question,

Will the Senate agree to the section as amended?

The yeas and nays were required by Mr. Ryon and Mr. Power, and are as follow, viz.

YEAS.	YEAS
<b>Messrs. Allhouse,</b> <b>Audenried,</b> <b>Duncan,</b> <b>Emlen,</b> <b>Hambright,</b> <b>Hamilton,</b> <b>Hawkins,</b> <b>Hay,</b> <b>Herbert,</b> <b>Kerlin,</b> <b>Kitchin,</b> <b>Knight,</b> <b>Leech,</b>	<b>Messrs. Logan,</b> <b>Mann,</b> <b>Moore,</b> <b>Ogle,</b> <b>Power,</b> <b>Ray,</b> <b>Ryon,</b> <b>Schall,</b> <b>Seltzer,</b> <b>Sutherland,</b> <b>Winter,</b> <b>Mahon, Speaker,</b> 25.
NAYS.	NAYS.
<b>Messrs. Garber,</b> <b>Petrikín,</b>	<b>Mr. Sullivan,</b> 3.

So it was determined in the affirmative.

The title was considered and agreed to, and  
 Ordered, That said bill be transcribed for the third reading.

On motion of Mr. Kitchin and Mr Logan,

The rule for going into a committee of the whole, being in this case dispensed with,

Bill No. 208, entitled

"A supplement to an act entitled an act to erect the town of Morrisville into a borough,"

Was read the second time.

The first and only section being under consideration,

A motion was made by Mr. Kitchin and Mr. Duncan,

To amend the same in the fourth line, by striking therefrom the word "said," and by inserting, after the word "borough," the words "of Morrisville."

Which was agreed to.

The section as amended, together with the title, were then agreed to, and

Ordered, That said bill be transcribed for the third reading.

Adjourned until 10 o'clock, to-morrow morning.

**THURSDAY, March 15, 1827.**

Mr. Ogle obtained leave to withdraw from the files of the Senate, the petition and documents of Magdalen Elder and John M'Cracken.

Mr. Logan presented the petition and documents of John Miller, of York county, a soldier of the revolution, praying for relief.

Mr. Logan presented the petition and documents of Catherine Steagle, of York county, a widow of a revolutionary soldier, praying for relief.

Said petitions and documents were referred to the committee on claims.

Mr. Sutherland presented the petition of sundry citizens of Lower Dublin township, in Philadelphia county, praying for certain alterations in the law prescribing the mode of electing directors of the poor in said township.

Mr. Garber presented the petition of sundry citizens of Mifflin county, praying for the repeal of the law relating to collateral inheritances.

Said petitions were laid on the table.

Mr. Kerlin, from the committee appointed by the Senate to confer with the committee from the House of Representatives, on the disagreement between the two houses on the amendments by the House of Representatives, non-concurred in by the Senate, to bill No. 31, entitled "A supplement to the act entitled an act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough, and for other purposes therein mentioned," reported:

That the committee could not agree, and

On motion of Messrs. Kerlin and Mann,

The committee were discharged from the further consideration of the subjects

Ordered, That the clerk inform the House of Representatives accordingly.

Mr. Moore read in his place, and on leave given, presented to the chair, bill No. 227, entitled

"A supplement to the act entitled an act authorising the governor to incorporate the Susquehanna and Lehigh canal company."

Said bill was read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 228. "An act to enable the governor to incorporate a company to make a turnpike road, from the northern termination of the York and Conewago turnpike road, to the west end of the Harrisburg bridge.

No. 229. "A further supplement to the act entitled an act to authorise the governor to incorporate a company for erecting a bridge over the river Susquehanna, at the town of Danville."

No. 230. "An act for the relief of Moses Van Campen, a revolutionary officer."

He also returned the bill No. 138, from the Senate, entitled

"An act to authorise Samuel Humes, jun. guardian of Fidelia R. Van Dyke, to sell and convey certain real estate."

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said bills and amendments were read the first time.

Resolution No. 226, entitled

"Resolution recommending to county commissioners to furnish children educated at the public expense, with Roger's Biographical Dictionary,"

Was read the third time.

On the question,  
Shall this resolution pass?

A motion was made by Mr. Dunlop and Mr. Kitchin,  
To postpone the question, together with the resolution, for the present.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle and Mr. Hamilton, and are as follow, viz.

YEAS.

Messrs. Duncan,  
Dunlop,  
Emlen,  
Garber,  
Hawkins,  
Herbert,  
Hunt,  
Kelley,  
Kerlin,

YEAS.

Messrs. Kitchin,  
Knight,  
Leech,  
Mann,  
Moore,  
Sturgeon,  
Sullivan,  
Mahon, speaker, 17.

## YAYS.

Messrs. Allshouse,  
Hambright,  
Hamilton,  
King,  
Ogle,  
Petrikin,  
Power,

## NAYS.

Messrs. Ray,  
Ryon,  
Schall,  
Seltzer,  
Sutherland,  
Winter,

15.

So it was determined in the affirmative.

Bills numbered and and entitled as follow, were severally read the third time and passed.

No. 100. "An act appropriating a sum of money to the erection of a bridge over the Yellow Breeches creek."

No. 206. "A supplement to the act entitled an act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania."

No. 208. "A supplement to an act entitled an act to erect the town of Morrisville into a borough."

No. 210. "An act to authorise the committee of the estate of Charles Willing Hare to sell and convey real estate."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

On motion of Mr. Dupcan and Mr. Emlen,

The Senate resumed the third reading and consideration of bill No. 72, from the House of Representatives, entitled

"An act authorising the sale of the real estate of Andrew Hamilton, deceased."

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Hambright and Mr. Hamilton,

To postpone the question, together with the bill, until to-morrow.

Which was agreed to.

A motion was made by Mr. Sutherland and Mr. Ogle, and read as follows:

No. 231. "Resolution relative to the services of Governor Carroll, during the late war."

Whereas, William Carroll, Governor of Tennessee, is a native of the state of Pennsylvania, from which he emigrated in the year 1810, and was shortly afterwards called to the command of "The Nashville Uniform Volunteers," who tendered their services to the nation, which were promptly accepted, at the opening of the late war; and by the force of his great military talents has passed through the various grades of preferment till he rose to the impor-

tant command of the second division of Tennesseans, amounting to three thousand men, with whom he marched in obedience to the orders of the executive of that state, to aid in protecting New Orleans, and completed his march, a distance of 1300 miles, in 22 days; thus manifesting his zeal and devotion in the cause of his country: And whereas, he has on all occasions been found in the midst of danger, in the several engagements in which his valor and bravery has called him, whether when contending with the daring Indians of the Creek nation, or the British invincibles of the Old World: And whereas, the courage, science, and untiring activity which he displayed in an eminent degree, while he aided his companions in arms in saving New Orleans from the dangers anticipated from the victory of a powerful but mercenary force, has commanded the respect and admiration of all who have read the history of that memorable battle:

Therefore,

Resolved by the Senate and House of Representatives, of the commonwealth of Pennsylvania, in general assembly met, That the Governor be requested to communicate to Governor Carroll, the high and sincere regard the representatives of his native state, entertain toward him, for his rare military talents, sure indications of a powerful mind, and his unwavering devotion to his beloved country, which he has so conspicuously evinced from his early life, up to the present hour.

Said resolution was read the first time.

On motion of Mr. Sutherland and Mr. Ogle,

The rule which prohibits bills being read twice on the same day, was in this case dispensed with, and the said resolution was read the second time.

The same being under consideration,

A motion was made by Mr. Dunlop and Mr. Petrikin,

To postpone the further consideration of the resolution until Saturday the 17th inst.

Which was not agreed to.

The resolve, preamble and title were then severally considered, and agreed to, and

Ordered, To be transcribed for the third reading,

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Ryon in the chair, on bill No. 119, entitled

"An act concerning unpatented lands."

After some time,

The committee rose and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, to-morrow morning.

**FRIDAY, March 16, 1827.**

Mr. Sutherland asked and obtained leave of absence, for a few days, from to-morrow.

Mr. Mann, from the committee on claims, reported bill, No. 232, entitled

"An act for the relief of Hughs Means, a soldier of the revolution."

Mr. Ogle, from the committee on the militia system, to whom was committed bill, No. 160, from the House of Representatives, entitled

"An act for the relief of sundry brigade inspectors, reported bill No. 233, with a similar title.

The clerk of the House of Representatives being introduced, presented for concurrence the bill entitled as follows:

No. 234. "An act relative to the discharge of mortgages filed in the land office."

Said bill was read the first time.

And informed that the House of Representatives have concurred in the amendment by the Senate to the resolution from the House of Representatives, relative to the further distribution of the laws.

Laid on the table.

Mr. Hawkins read in his place, and on leave given presented to the chair, bill No. 285, entitled

"An act to authorise Henry Sharpneck and Alfred Frost to erect a dam and lock on the Monongahela river."

Said bill was read the first time.

On motion of Mr. Audenried and Mr. Schall,

The amendment by the House of Representatives to bill No. 139, entitled

"An act to authorise Samuel Humes, jun. guardian of Fidelia R. Van Dyke, to sell and convey certain real estate,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Kelley and Mr. Garber,

That the Senate non-concur in the amendment.



On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle and Mr. Hay, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allahouse, Dunlop, Emlen, Garber, Hunt, Kelley, Kerlin, Kitchin, Mann,	Messrs. Moore, Ogle, Ray, Ryon, Sturgeon, Sullivan, Winter, Mahon, speaker, 17.
NAYS.	NAYS.
Messrs. Audenried, Hambright, Hamilton, Hawkins, Hay, King, Knight,	Messrs. Leech, Logan, Petrikin, Schall, Seltzer, Sutherland, 13.

So it was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Sutherland and Mr. Mann,

The Senate insisted on their amendments non-concurred in by the House of Representatives, to the resolution No. 88, from the House of Representatives, entitled

"Resolution relative to the report of the commissioners appointed to revise the penal code."

Ordered, That the clerk inform the House of Representatives accordingly.

The Senate resumed the third reading and consideration of Bill No. 72, from the House of Representatives, entitled

"An act authorising the sale of the real estate of Andrew Hamilton, deceased."

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Emlen and Mr. Hamilton,

To postpone the question, together with the bill, until Tuesday, the 20th instant.

Which was agreed to.

Resolution No. 281, entitled

“Resolution relative to the services of Governor Carroll, during the late war,”

Was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

A motion was made by Mr. Mann and Mr. Emlen, and read as follows, viz.

Resolved by the Senate and House of Representatives, That the legislature will, on Tuesday the 27th day of March, adjourn sine die. And be it further resolved, That the following rule, when adopted by the House of Representatives, be a rule to regulate the transmission and reception of bills between the two houses, during the present session, to be dispensed with only on the concurrence of two thirds of the members present in each, viz.

That no bill or resolution, or any thing in the nature of a bill or resolution, shall be transmitted from or received by either house within eight days of the time which shall have been agreed upon by both houses for the final adjournment of the legislature.

Laid on the table.

Bill No. 119, entitled

“An act concerning unpatented lands,”

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Dunlop and Mr. Logan,

To amend the same, by striking out of the sixth and seventh lines the following: “allow a deduction in all cases of seven years interest,” and inserting in lieu the following: “and shall charge no interest for the time which intervened from the 4th of July, 1776, to the 3d of September, 1783.”

Which was agreed to.

The section, as amended, was then agreed to.

The second to the fifth sections, inclusive, were severally considered and agreed to.

The sixth section being under consideration,

A motion was made by Mr. Dunlop and Mr. Logan,

To amend the same, by adding thereto the following: “so far as the balance due may reach to discharge the same.”

Which was agreed to.

The section, as amended, was then agreed to.

The title was considered and agreed to.

On the question,

Shall this bill be transcribed for the third reading?

A motion was made by Mr. Knight and Mr. Leech,

To postpone the question, together with the bill until Friday the 23d inst.

Which was not agreed to.

The question recurring,  
Shall this bill be transcribed for the third reading?

The yeas and nays were required by Mr. Hawkins and Mr. Ryon, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Dunlop, Emlen, Hambricht, Hamilton, Hay, Herbert, Hunt, Kerlin,	Messrs. King, Logan, Ogle, Petrikin, Schall, Seltzer, Winter, Mahon, Speaker, 17.
NAYS.	NAYS.
Messrs. Allhouse, Hawkins, Kelley, Kitchen, Knight, Leech, Mann,	Messrs. Moore, Ray, Ryon, Sturgeon, Sullivan, Sutherland, 13.

So it was determined in the affirmative.

The Senate resumed the second reading and consideration of bill No. 170, entitled

"A supplement to an act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia."

The same being again under consideration,

A motion was made by Mr. Emlen and Mr. Sturgeon,

To postpone the further consideration of the bill until Wednesday the 21st inst.

Which was agreed to.

On motion of Mr. Ogle and Mr. Knight,

The Senate again resolved itself into a committee of the whole, Mr. Kelley in the chair, on bill No. 65, entitled

"An act for the relief and comfort of the poor."

After some time,

The committee rose and the chairman reported the bill with an amendment.

On motion of Mr. Mann and Mr. Ray,

The Senate resolved itself into a committee of the whole, Mr. Hamilton in the chair, on bill No. 230, from the House of Representatives, entitled

"An act for the relief of Moses Van Campen, a revolutionary officer."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ryon and Mr. Sullivan,  
Said bill was read the second time.

The same being under consideration,

A motion was made by Mr. Ogle and Mr. Moore,

To amend the first and only section, by striking therefrom the words "eighty," where they occur, and inserting in lieu the words "one hundred,"

Which was not agreed to.

The section, together with the title, were then agreed to.

On motion of Mr. Mann and Mr. Moore,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No 197, entitled

"An act incorporating the Lancaster county academy."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Tuesday the 20th inst.

On motion of Mr. Leech and Mr. Winter,

The Senate resolved itself into a committee of the whole, Mr. Schall in the chair, on bill No. 198, entitled

"An act to enable the governor to incorporate a company for making an artificial road, from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the centre of Vernon, in the county of Trumbull, in the state of Ohio."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 10 o'clock, to-morrow morning.

**SATURDAY, March 17, 1827.**

Mr. Ryan presented two petitions, of similar tenor, from sundry citizens of Brookfield township, in the county of Tioga, praying that said township may be erected into a separate election district.

Said petitions were referred to the committee on election districts.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of Daniel St. Clair, reported:

That they consider it unnecessary, in deciding on this claim, to recite the services of the petitioner; inasmuch as he is drawing a pension annually from the general government, which has always been deemed sufficient ground for rejection. They therefore deem it inexpedient to grant the prayer of the petitioner, and offer the following resolution.

Resolved, That the committee be discharged from any further consideration of the subject.

Laid on the table.

Mr. Schall read in his place, and on leave given, presented to the chair, bill No. 256, entitled

"An act appropriating a sum of money for the erection of a bridge over the river Schuylkill, near Hamburg, in the county of Berks."

Mr. Herbert read in his place, and on leave given, presented to the chair, bill No. 257, entitled

"A supplement to the act entitled an act to alter an act entitled an act erecting the town of Carlisle, in the county of Cumberland, into a borough."

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, returned the bills entitled as follow, viz.

No. 75. "An act extending the time for completing the Washington and Pittsburg turnpike road, and relative to the states's subscription to the same."

No. 76. "An act for the relief of James Murphy, a soldier of the revolution."

No. 62. "A supplement to the act entitled an act to authorise the governor to incorporate a company to make a lock navigation

on the each branch of the river Schuylkill, called the Little Schuylkill."

No. 64. "An act authorising the governor to incorporate the Mahanoy navigation company."

And informed that the House of Representatives have passed the two first without, and the two latter with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

And further informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill from the House of Representatives, entitled "An act for the relief of Moses Van Campen, a revolutionary officer," and recede from their non-concurrence in the amendment by the Senate, to the resolution No. 88, relative to the report of the commissioners appointed to revise the penal code.

He further informed that the House of Representatives have discharged the committee appointed to confer with a committee of the Senate, on the amendments to the bill No. 31, from the Senate, entitled "A supplement to the act entitled an act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough and for other purposes," and that the House of Representatives have receded from their amendments to the said bill.

Laid on the table.

Bill No. 119, entitled  
"An act concerning unpatented lands."  
Was read the third time.

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Hawkins and Mr. Ogle, and are as follow, viz.

## YEAS.

Messrs. Audenried,  
Dunlop,  
Emlen,  
Hambright,  
Hamilton,  
Herbert,  
Kerlin,

## NAYS.

Messrs. Allshouse,  
Garber,  
Hawkins,  
Kelley,  
Kitchin,  
Knight,  
Leech,

## YEAS.

Messrs. King,  
Logan,  
Ogle,  
Schall,  
Seltzer,  
Winter,  
Mahon, Speaker,

14.

## NAYS.

Messrs. Mann,  
Moore,  
Ray,  
Ryon,  
Sturgeon,  
Sullivan,

13.

So it was determined in the affirmative.

On motion of Mr. Winter and Mr. King,

The Senate resumed the third reading of resolution No. 226, entitled

"Resolution recommending to county commissionera to furnish children educated at the public expense, with Roger's Biographical Dictionary."

The question recurring,  
Shall this resolution pass?

The yeas and nays were required by Mr. Emlen and Mr. Hamilton, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse,	Messrs. Moore,
Audenried,	Ogle,
Hambright,	Ray,
Hamilton,	Ryon,
Hay,	Schall,
King,	Seltzer,
Kitchin,	Winter,
Leech,	Mahon, speaker.
Logan,	17.

NAYS.	NAYS.
Messrs. Dunlop,	Messrs. Kerlin,
Emlen,	Knight,
Garber,	Mann,
Hawkins,	Potrikin,
Hunt,	Sturgeon,
Kelley,	Sullivan,
	12.

So it was determined in the affirmative.

Ordered, That the Clerk return said bill and resolution to the House of Representatives for concurrence.

On motion of Mr. Audenried and Mr. Schall,

The amendments by the House of Representatives to bill No. 62, entitled

"A supplement to the act entitled an act to authorise the governor to incorporate a company to make a lock navigation on the east branch of the river Schuylkill, called the Little Schuylkill,"

Was read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Ogle and Mr. Kelley,

The amendments by the House of Representatives, to bill No. 64, entitled "An act authorising the governor to incorporate the Mahanoy navigation company,"

Were read the second time.

The same being under consideration,  
A motion was made by Mr. Ogle and Mr. Kelley,  
That the Senate concur in the first, second and third amendments, and non-concur in the remaining amendments to said bill.

On the question,  
Will the Senate agree to the motion?

A division of the question was called for, by Mr. King, to end with concurring.

On the question,  
Will the Senate concur in the first, second and third amendments?

It was determined in the affirmative.

On the question,  
Will the Senate non-concur in the remaining amendments?  
It was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

A motion was made by Mr. Emlen and Mr. Kerlin, and read as follows, viz.

No. 238. "Resolution relative to the penal code."

Resolved by the Senate and House of Representatives of the commonwealth of Pennsylvania, in general assembly met, That the commissioners appointed under the authority of the act of the 30th day of March, 1821, entitled "An act to provide for the erection of a penitentiary within the city and county of Philadelphia, are hereby authorised and required to submit, by way of report, to the next legislature, their views on the revision of the penal code of this commonwealth, to suggest such alterations and changes as, in their opinion, should be made in the present system adapted to and modelled on the plan contemplated by the legislature, in the erection of the penitentiary near Philadelphia, and to prepare and submit, for the consideration of the legislature, a system or body of rules for the internal police government and treatment of persons confined, or to be confined in the penitentiaries within this commonwealth.

Said resolution was read the first time.

On motion of Mr. Emlen and Mr. Kerlin,  
The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said resolution was read the second time, considered and agreed to.

On motion of Mr. Kelley and Mr. Hunt,  
The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said resolution was read the third time and passed.

Ordered, That the Clerk present the resolution to the House of Representatives for concurrence.



Bill No. 65, entitled  
 "An act for the relief and comfort of the poor,"  
 Was read the second time.

The first section being under consideration,  
 A motion was made by Mr. Ogle and Mr. Ray,  
 To amend the same by adding thereto the following proviso:  
 "Provided, That the aforesaid exemption shall extend only to  
 cases where the debt shall have been contracted after the said first  
 day of April next."

Which was agreed to.

A motion was made by Mr. Hamilton and Mr. Petrikín,  
 Further to amend the section, by inserting, after the word afore-  
 said, in the 7th line, the words "rents excepted."

Which was agreed to.

A motion was then made by Mr. Seltzer and Mr. Dunlop,  
 Farther to amend the section, by striking out of the fourth line  
 and from the proviso, the words "April," and inserting in lieu  
 thereof, "December."

Which was agreed to.

On the question.

Will the Senate agree to the first section, as amended?

A motion was made by Mr. Ogle and Mr. Seltzer,

To postpone the question, together with the bill, for the present:

Which was agreed to.

Bill No. 198, entitled  
 "An act to enable the governor to incorporate a company, for  
 making an artificial road, from the borough of Mercer, in the coun-  
 ty of Mercer, to the line of the state of Ohio, in a direction to the  
 centre of Vernon, in the county of Trumbull, in the state of Ohio,"

Was read the second time.

The first section was considered and agreed to.

The second section being under consideration,  
 A motion was made by Mr. Knight and Mr. Sullivan,  
 To amend the same, by inserting, in the 24th line, after the  
 word "banking," the following: "or do any other matter or thing  
 than such as shall properly belong to the functions of a turnpike  
 road company;" and by inserting, in the same line, after the word  
 "either," the words, "or any."

Which was agreed to.

The section, as amended, was then agreed to.

The third section being under consideration,  
 A motion was made by Mr. Knight and Mr. Sullivan,  
 To amend the section in the 20th line, by inserting before the  
 word "provided," "not inconsistent with this act."

Which was agreed to.

The section, as amended, was then agreed to.

The fourth section and title were severally considered and agreed to.

Ordered, That said bill be transcribed for the third reading.

On motion of Mr. Ogle and Mr. Seltzer,

The Senate resumed the second reading and consideration of bill No. 178, entitled

"A further supplement to the act entitled an act for the regulation of the militia of this commonwealth."

The question recurring,

Will the Senate agree to the second section?

It was determined in the affirmative.

The title being under consideration,

A motion was made by Mr. Hambright and Mr. Hamilton,

To postpone the same, for the purpose of introducing the following, to be called section 3.

Sect. 3. And be it further enacted by the authority aforesaid, That each troop of cavalry and company of artillery, having a piece of ordnance, shall be entitled to receive from the proper brigade inspector, the sum of thirty dollars annually, and each company of riflemen and volunteer infantry and company of artillery, without a piece of ordnance, the sum of twenty dollars annually, to be paid by the brigade inspector, to the commanding officers of the same, out of any militia fines in his hands, after all expenses authorised by law, have been paid; but if a sufficient sum shall not remain in his hands, to pay the above mentioned sums, then the said troops and companies shall receive a ratable part of the same, which money, so received, shall be paid to the quarter master sergeants of each troop of cavalry and company of artillery, and to the junior lieutenants, or other authorised persons of each company of infantry and riflemen; by the commanding officers thereof, as soon as they shall have received the same, to be applied and appropriated by them in the same manner, and under the like penalty as is directed in the case of fines received.

Which was not agreed to.

The title was then agreed to, and

Ordered, That the said bill be transcribed for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kitchin in the chair, on bill No. 235, entitled

"An act to authorise Henry Sharpneck and Alfred Frost, to erect a dam and lock on the Monongahela river."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Monday the 19th inst.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 224, entitled

"An act to authorise the Baltimore and Ohio rail road company, to construct a rail road through Pennsylvania, in a direction from Baltimore to the Ohio river."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Monday the 19th inst.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 233, from the House of Representatives, entitled

"An act for the relief of sundry brigade inspectors."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the negative.

On motion of Mr. Audenried and Mr. Hamilton,

The Senate resolved itself into a committee of the whole, Mr. Dunlop in the chair, on bill No. 172, from the House of Representatives, entitled

"An act to improve the Norwegian creek, in Schuylkill county."

After some time,

The committee rose, and when the Speaker resumed the chair, a quorum of members not appearing present,

On motion of Mr. Kerlin and Mr. Ryon,

The Senate adjourned until 10 o'clock, on Monday morning next.

**MONDAY, March 19, 1827.**

- **Mr. Kelley presented the petition of sundry citizens of Congmaugh township, in the county of Indiana, praying that the place of holding their general elections may be changed to the house of James Miller, in said township.**

**Which was referred to the committee on election districts.**

**Mr. Winter obtained leave to withdraw the petition and documents of Jefferson K. Heckman.**

**On motion of Mr. Hay and Mr. Hunt,**

**The petition relative to the mode of electing of directors of the poor, in Lower Dublin township, Philadelphia county, was referred to Messrs. Hay, Emlen and Hunt.**

**Mr. Hambright read in his place, and on leave given, presented to the chair, bill No. 239, entitled**

**"An act to erect the town of Elizabethtown, in the county of Lancaster, into a borough."**

**Mr. Kerlin read in his place, and on leave given, presented to the chair bill No. 240, entitled**

**"A supplement to an act to establish the judicial courts of this commonwealth, in conformity to the amendments and alterations in the constitution.**

**Said bills were read the first time.**

**Bills numbered and entitled as follow, were severally read the third time and passed.**

**No. 178. "A further supplement to the act entitled an act for the regulation of the militia of this commonwealth."**

**No. 198. "An act to enable the governor to incorporate a company for making an artificial road, from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the centre of Vernon, in the county of Trumbull, in the state of Ohio."**

**Ordered, That the Clerk present said bills to the House of Representatives for concurrence.**

**Bill No. 233, from the House of Representatives, entitled**

**"An act for the relief of sundry brigade inspectors,"**

**Was read the second time.**

**The sections were severally considered and agreed to.**

The title being under consideration,

A motion was made by Mr. Petrikin and Mr. Hamilton,

To postpone the title, for the purpose of introducing the following, to be called section 3.

Whereas John Hasson was commissioned brigade inspector of the second brigade, tenth division, Pennsylvania militia, on the second day of February, one thousand eight hundred and twenty-six, and immediately entered upon and performed the duties of the office. And whereas the said commission was afterwards annulled, and he was again commissioned on the twelfth of April, one thousand eight hundred and twenty-six, and difficulties have arisen in relation to the payment of his salary.

Therefore

Sect. 3. And be it further enacted by the authority aforesaid, That the state treasurer be and he is hereby directed to pay John Hasson, brigade inspector of the second brigade, tenth division, Pennsylvania militia, his salary as inspector of the said brigade, from the second of February, one thousand eight hundred and twenty-six.

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Petrikin and Mr. Hamilton,

To postpone the question, together with the bill, for the present.

Which was not agreed to.

The question recurring,

Will the Senate agree to the motion?

It was determined in the negative.

The title was considered and agreed to.

On the question,

Shall this bill be prepared for the third reading?

A motion was made by Mr. Petrikin and Mr. Hamilton,

To postpone the question, together with the bill, indefinitely.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Hamilton, and are as follow, viz.

YEAS.

YEAS:

Messrs. Dunlop,  
Hambright,  
King,

Messrs. Kitchen,  
Petrikin,

5.

## NAYS.

Messrs. Allshouse,  
Audenried,  
Emlen,  
Garber,  
Hamilton,  
Hawkins,  
Herbert,  
Hunt,  
Kelley,  
Kerlin,  
Knight,  
Mann,

## NAYS.

Messrs. Moore,  
Ogle,  
Power,  
Ray,  
Ryon,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,  
Winter,  
Mahon, speaker. 23.

So it was determined in the negative.

The question recurring,  
Shall this bill be prepared for the third reading?

It was determined in the affirmative.

On motion of Mr. Audenried and Mr. Schall,

Bill No. 121, entitled

"An act to provide a fund in support of a general system of education, in Pennsylvania,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Emlen and Mr. Knight,  
To postpone the further consideration of the bill for the present.

Which was agreed to.

On motion of Mr. Sullivan and Mr. Power,

The Senate resumed the second reading and consideration of bill No. 194, entitled

"An act incorporating the Theological Seminary of the associate Reformed Synod of the west."

The question recurring,

Shall this bill be transcribed for the third reading?

The yeas and nays were required by Mr. Seltzer and Mr. Schall, and are as follow, viz.

## YEAS.

Messrs. Hambright,  
Hay,  
Herbert,  
Kelley,  
Leech,  
Mann,

## YEAS

Messrs. Moore,  
Petrikin,  
Power,  
Sturgeon,  
Sullivan,  
Mahon, Speaker, 12.

NAYS.

Messrs. Allhouse,  
Dunlop,  
Emlen,  
Garber,  
Hamilton,  
Hawkins,  
Hunt,  
Kerlin,  
King,

NAYS.

Messrs. Kitchin,  
Knight,  
Logan,  
Ogle,  
Ryon,  
Schall,  
Seltzer,  
Winter,

17.

So it was determined in the negative.

The Clerk of the House of Representatives being introduced, presented for concurrence,

No. 241. "Resolution relative to infant schools in the first school district of Pennsylvania."

Said resolution was read the first time.

He also returned the bill No 66, entitled "A further supplement to the act entitled an act to recharter certain banks," and informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

And further informed, that the House of Representatives recede from the amendments non-concurred in by the Senate, to the bills from the Senate, entitled

No. 64. "An act authorising the governor to incorporate the Mahanoy navigation company."

No. 193. "An act to authorise Samuel Humes, jr. guardian of Fidelity R. Van Dyke, to sell and convey certain real estate."

Laid on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Allhouse in the chair, on bill No. 224, entitled

"An act to authorise the Baltimore and Ohio rail road company, to construct a rail road through Pennsylvania, in a direction from Baltimore to the Ohio river."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to-morrow,

On motion of Mr. King and Mr. Winter,

The Senate again resolved itself into a committee of the whole, Mr. Hunt in the chair, on bill No. 191, from the House of Representatives, entitled

"An act to perpetuate testimony in certain cases, and for other purposes."

After some time,

The committee rose and the chairman reported the bill with amendments.

Mr. Dunlop, the chairman of the committee of the whole, who had, on Saturday last, under consideration, bill No. 172, from the House of Representatives, entitled

"An act to improve the Norwegian creek, in Schuylkill county,"  
Reported the same without amendment.

On motion of Mr. Power and Mr. Ogle,  
The Senate again resolved itself into a committee of the whole,  
Mr. Logan in the chair, on bill No. 187, entitled

"A supplement to an act entitled an act for the improvement of the state."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 10 o'clock, to-morrow morning.

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## TUESDAY, March 20, 1827.

Mr. Audenried presented the remonstrance of sundry citizens of Shippensburg township, in Cumberland county, against annexing said township to the county of Franklin.

Which was laid on the table.

Mr. Dunlop presented the petition of Rebecca Weemly, of Cumberland county, praying for the passage of a law vesting in her the escheated estate of her illegitimate son, John Weemly.

Said petition was referred to Messrs. Dunlop, Hamilton and Schall.

Mr. Hambright presented two petitions, of similar tenor, from sundry citizens of West Hempfield township, in the eighteenth election district, in the county of Lancaster, praying that part of said district may be erected into a separate election district, and



that their elections may be held at the house of Jacob Gamber, on the Lancaster and Marietta turnpike road.

Said petitions were referred to the committee on election districts.

Mr. Kelley presented the petition of sundry citizens of Mahoning township, Indiana county, praying for the repeal of an act passed at the last session of the legislature, providing for the relief of John Leasure, late supervisor of said township.

Which was referred to Messrs. Kelley, Sullivan and Audenried.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of Catharine Stengle reported:

That the petitioner states herself to be the widow of Conrad Stengle, and that her late husband enlisted several years in Armond's legion, in the revolutionary war, and served until the close of the same, and was honorably discharged at York, in the state of Pennsylvania; and that she is now old and infirm, and unable to labor, and therefore prays relief.

Your committee have carefully examined the petition and documents of the petitioner; and are of opinion that her prayer ought not to be granted; inasmuch as the corps that her late husband was attached to, did not belong to the Pennsylvania line; that Colonel Armond commanded the first partizan legion of horse under the French marquis de la Rourie, who belonged to the continental establishment of United States troops, and that agreeably to the rules that have hitherto governed the committee, the widow cannot be entitled to a pension from this commonwealth. They therefore offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Mann and Mr. Ray,

The resolution attached to the above report was read the second time, considered and agreed to.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the governor for his approbation, the bills numbered and entitled as follow, to wit:

No. 31. "A supplement to the act entitled an act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough, and for other purposes therein mentioned."

No. 62. "A supplement to the act entitled an act to authorise the governor to incorporate a company to make a lock navigation on the east branch of the river Shenyoikitt, called the Little Shenyoikitt."

No. 75. "An act extending the time for completing the Washington and Pittsburg turnpike road, and relative to the states' subscription to the same."

No. 76. "An act for the relief of James Murphy, a soldier of the revolution."

No. 230. "An act for the relief of Moses Van Campen, a revolutionary officer."

No. 25. "An act authorising the governor to incorporate the Schuylkill Valley navigation company, and for other purposes."

No. 88. "Resolution relative to the report of the commissioners appointed to revise the penal code."

No. 175. "Resolution relative to the further distribution of the laws."

Laid on the table.

Mr. Hawkins, from the committee on the judiciary system, to whom was committed bill No. 78, entitled  
"An act for the relief of Connecticut settlers."

Reported bill No. 242, with a similar title.

Mr. Audenried read in his place, and on leave given, presented to the chair, bill No. 243, entitled

"An act to authorise the trustees of a public school, in Douglass township, Berks county, to sell certain real estate."

Said bills were read the first time.

The Senate resumed the third reading of bill No. 72, from the House of Representatives, entitled

"An act authorising the sale of the real estate of Andrew Hamilton, deceased."

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Emlen and Mr. Knight,

To postpone the question, and that the bill be committed to the committee on the judiciary system.

Which was not agreed to.

The question again recurring,  
Shall this bill pass?

A motion was made by Mr. Ogle and Mr. Hamilton,

To postpone the question, together with the bill, for the present.

Which was agreed to.

Bill No. 233, from the House of Representatives, entitled

"An act for the relief of stadry brigade inspectors,"

Was read the third time and passed.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The deputy secretary of the commonwealth being introduced, presented a message from the governor, which was read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts and resolutions of the general assembly, and directed the secretary of the commonwealth to return them to the houses in which they respectively originated, viz.

No. 25. "An act authorising the governor to incorporate the Schuylkill Valley navigation company, and for other purposes."

No. 62. "A supplement to the act entitled an act to authorize the governor to incorporate a company to make a lock navigation on the east branch of the river Schuylkill, called the little Schuylkill."

No. 75. "An act extending the time for completing the Washington and Pittsburg turnpike road, and relative to the state's subscription to the same."

No. 51. "A supplement to the act entitled an act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough, and for other persons therein mentioned,"

No. 76. "An act for the relief of James Murphy, a soldier of the revolution,"

No. 230. "An act for the relief of Moses Van Campen, a revolutionary officer."

No. 175. "A resolution relative to the further distribution of the laws."

No. 88. "A resolution relative to the report of the commissioners appointed to revise the penal code."

J. ANDW. SHULZB.

*Harrisburg, March 20, 1827.*

Laid on the table.

On motion of Mr. Garber of Mr. Sturgeon,

The following resolution was twice read, considered and adopted, viz.

Resolved, That the Speaker draw his warrant, in favor of Cameron & Krause, on the state treasurer, for three hundred dollars, to be accounted for by them in the settlement of their bill for printing the English journal of the Senate.

A warrant was accordingly so drawn.

Bill No. 172, from the House of Representatives, entitled  
"An act to improve the Norwegian creek, in Schuylkill county,"  
Was read the second time.

The first section being under consideration,  
A motion was made by Mr. Duncan and Mr. Knight,  
To amend the same, by adding thereto the following: "in such  
a manner as shall be approved of by the Schuylkill navigation  
company"

Which was agreed to.

On the question,  
Will the Senate agree to the section, as amended?  
A motion was made by Mr. Audenried and Mr. Kmlen,  
To postpone the question, together with the bill, for the present?  
Which was agreed to.

Bill No. 191, from the House of Representatives, entitled  
"An act to perpetuate testimony in certain cases, and for other  
purposes,"

Was read the second time.

The sections were severally considered and agreed to.

The title being under consideration,

A motion was made by Mr. Kelley and Mr. Ogle,

To amend the same, by striking therefrom the word "perpetu-  
ite," and inserting in lieu the words "provide for taking."

Which was agreed to.

The title, as amended, was then agreed to, and

Ordered, That said bill be prepared for the third reading.

Bill No. 187, entitled

"A supplement to an act entitled an act for the improvement  
of the state,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

On motion of Mr. Kerlin and Mr. Mann,

The Senate again resolved itself into a committee of the whole,  
Mr. Duncan in the chair, on bill No. 94, from the House of Re-  
presentatives, entitled

"A supplement to the act entitled an act limiting the time  
during which judgments shall be a lien on real estate, and suits  
may be brought against the sureties of public officers."

After some time,

The committee rose and the chairman reported the bill with  
amendments.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 197, entitled

"An act incorporating the Lancaster county academy."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 224, entitled

"An act to authorise the Baltimore and Ohio rail road company, to construct a rail road through Pennsylvania, in a direction from Baltimore to the Ohio river."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Emlen in the chair, on bill No. 192, from the House of Representatives, entitled

"An act supplementary to an act passed the 28th March, 1814, entitled an act making provision for the travelling expenses of the president and associate judges of the courts of common pleas."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hamilton in the chair, on bill No. 225, entitled

"An act to enable John Seager, administrator de bonis non, &c. of Peter Miller, deceased, to make title to real estate."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Dunlop and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Hambright in the chair, on bill No. 176, entitled

"An act annexing part of Cumberland county to Franklin."

After some time,

The committee rose, and the chairman reported the bill negatively.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

It was determined in the affirmative.

Agreesably to order,

The Senate resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No. 232, entitled

"An act for the relief of Hugh Means, a soldier of the revolution."

After some time,

The committee rose, and the chairman reported the bill without amendment?

On motion of Mr. Mann and Mr. Garber,  
Said bill was read the second time.

On motion of Mr. Ogle and Mr. Garber,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. King and Mr. Winter,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No 48, entitled

"An act for the relief of Stroudsburg academy."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, to-morrow morning.

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## WEDNESDAY, March 21, 1827.

Mr. Schall presented the petition of the trustees of the public school, in Douglass township, Berks county, praying for authority to sell certain real estate.

Mr. Garber presented two petitions, of similar tenor, praying for the repeal of the law relating to collateral inheritances.

Mr. Mann presented a memorial praying for the repeal of the collateral inheritance law, and remonstrating against the construction of the Pennsylvania canal.

Said petitions and memorial were laid on the table.

Mr. Herbert, from the committee to compare bills and present them to the Governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on yesterday presented to the Governor for his approbation, the bills numbered and entitled as follow, to wit:

No. 64. "An act authorising the governor to incorporate the Mahanoy navigation company."

No. 133. "An act to authorise Samuel Humes, jr. guardian of Fidelity R. Van Dyke, to sell and convey certain real estate."

Laid on the table.

Mr. Kelley, from the committee on the subject, on leave given, reported bill No. 244, entitled

"An act to repeal in part an act entitled an act for the relief of sundry supervisors therein mentioned, and for other purposes."

Mr. Herbert read in his place, and on leave given, presented to the chair bill No. 245, entitled

"An act incorporating the Trindle Spring, German Reformed, Calvinist, and German Lutheran congregations, of Cumberland county."

Said bills were read the first time.

Bill No. 191, from the House of Representatives, entitled

"An act to perpetuate testimony in certain cases, and for other purposes,"

Was read the third time and passed.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Bill No. 187, entitled,

"A supplement to an act entitled an act for the improvement of the state,"

Was read the third time and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The Senate resumed the second reading and consideration of Bill No. 170, entitled

"A supplement to an act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia."

The first section being again under consideration,

A motion was made by Mr. Emlen and Mr. Hay,

To amend the same, by inserting, after the word "schools," in the eight line, the words, "for the city and county of Philadelphia," and by inserting, after the word "act," in the tenth line, the words, "and its supplements."

Which was agreed to.

The section, as amended, was then agreed to.

The title being under consideration,

A motion was made by Mr. Duncan and Mr. Schall,

To postpone the same for the present, for the purpose of inserting the following to be called section two, viz:

Section 2. And be it further enacted by the authority aforesaid, That the directors of the first section of the first school district, of the state of Pennsylvania, immediately after the passage of this act, shall elect three controllers out of their own number, in addition to the number they are already entitled to elect, and shall ever afterwards be entitled to elect eight controllers of the public schools, for the city and county of Philadelphia, any thing in any act to the contrary notwithstanding.

Which was agreed to.

The manuscript section was then considered and agreed to.

The title was again considered and agreed to, and

Ordered, That said bill be transcribed for the third reading.

Bill No. 94, from the House of Representatives, entitled

"A supplement to the act entitled an act limiting the time during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers."

Was read the second time.

The sections and title were severally considered and agreed to.

On the question,

Shall this bill be prepared for the third reading?

A motion was made by Mr. Dunlop and Mr. Kitchin,

To postpone the question together with the bill until to-morrow

Which was not agreed to.

The question recurring,

Shall this bill be prepared for the third reading?

It was determined in the affirmative.

Bill No. 197, entitled

"An act incorporating the Lancaster county academy,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Hamilton and Mr. Logan,

To postpone the further consideration of the bill for the present.

Which was agreed to.

Bill No. 224, entitled

"An act to authorise the Baltimore and Ohio rail road company, to construct a rail road through Pennsylvania, in a direction from Baltimore to the Ohio river,"

Was read the second time.



The first to the fifth section, inclusive, were severally considered and agreed to.

The sixth section being under consideration,

A motion was made by Mr. Dunlop and Mr. Hambright,

To amend the same by striking out of the eleventh line the words "at the discretion of the court."

Which was not agreed to.

The sixth section was then agreed to.

The seventh section was considered and agreed to.

The eighth section being under consideration,

A motion was made by Mr. Herbert and Mr. Duncan;

To postpone the same for the present, for the purpose of introducing the following, to be called section eight. viz:

Section 8. And be it further enacted by the authority aforesaid; That in case the state of Maryland should for two years after application made for that purpose, refuse to pass a law authorising the state of Pennsylvania, or any company incorporated for that purpose, to take and continue a lateral rail road from any point within the territory of Pennsylvania, to and connect with the Baltimore and Ohio rail road, at any point within the territory of the state of Maryland, upon the same terms and conditions, and with all the rights, privileges and powers whatsoever, within the state of Maryland, as are by this act granted to the Baltimore and Ohio rail road company, within the state of Pennsylvania, then the privileges and powers hereby granted shall cease and determine.

On the question,

Will the Senate agree to postpone the eighth section, for the purpose of introducing the manuscript section?

A motion was made by Mr. Knight and Mr. Hamilton,

To postpone the question, together with the bill, until to-morrow.

Which was agreed to.

Bill No. 192, from the House of Representatives, entitled

"An act supplementary to an act passed the 28th March, 1814, entitled an act making provision for the travelling expenses of the president and associate judges of the courts of common pleas,"

Was read the second time, and

Ordered, To be prepared for the third reading.

Bill No. 225, entitled

"An act to enable John Saeger, administrator de bonis non, of Peter Miller, deceased, to make title to real estate,"

Was read the second time, and

Ordered, To be transcribed for the third reading.

Bill No. 48, entitled

"An act for the relief of Stroudsburg academy,"

Was read the second time,

The first and only section being under consideration,

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Mann and Mr. Hunt, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Logan,	
Duncan,		Petrikis,	
Hambright,		Power,	
Hamilton,		Schall,	
Herbert,		Sturgeon,	
King,		Winter,	
Kitchin,		Mahon, speaker,	13.
Knight,			
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Leech,	
Dunlop,		Mann,	
Emlen,		Ogle,	
Garber,		Ray,	
Hawkins,		Ryon,	
Hay,		Seltzer,	
Hunt,		Sullivan,	15.
Kerlin,			

So it was determined in the negative.

On motion of Mr. Audenried and Mr. Schall,

The Senate resumed the second reading of bill No. 121, entitled  
"An act to provide a fund in support of a general system of education in Pennsylvania."

The first section being again under consideration,

A motion was made by Mr. Hambright and Mr. Hamilton,  
To amend the same, by striking therefrom the proviso.

Which was not agreed to,

On the question,

Will the Senate agree to the section?

A motion was made by Mr. Sullivan and Mr. Duncan,

To postpone the question, together with the bill, for the present.

Which was not agreed to.

The question recurring,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Allshouse and Mr. Audenried, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Duncan,  
Dunlop,  
Emlen,  
Hambright,  
Hamilton,  
Hay,  
Kelley,  
Kitchin,  
Knight,

NAYS.

Messrs. Allhouse,  
Garber,  
Hawkins,  
Herbert,  
Hunt,  
Kerlin,

YEAS.

Messrs. Leech,  
Logan,  
Moore,  
Ogle,  
Petrikia,  
Ryon,  
Schall,  
Seltzer,  
Winter,  
Mabon, Speaker,

NAYS.

Messrs. King,  
Mann,  
Power,  
Ray,  
Sturgeon,  
Sullivan,

20.

19.

So it was determined in the affirmative.

The remaining sections, together with the preamble and title, were severally considered and agreed to.

On the question,

Shall this bill be transcribed for the third reading?

A motion was made by Mr. Ogle and Mr. Leech,

To postpone the question, and that the bill be committed to the committee on education.

Which was agreed to.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives have concurred in the amendments by the Senate, to the bill from the House of Representatives, No. 183, entitled "An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth," with an amendment, in which the concurrence of the Senate is requested.

Said amendment was read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on bill No. 209, entitled

"An act to vest in Ann Maria Kamrer, the right of this commonwealth to the real and personal estate of her illegitimate son, John M. Gray, late of Warwick township, Lancaster county."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hunt in the chair, on bill No. 205, entitled

"An act incorporating the York county association for apprehending horse thieves."

After some time,

The committee rose, and the chairman reported the bill negative.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Logan and Mr. Hamilton,

To postpone the question, together with the bill, for the present.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No. 211, from the House of Representatives, entitled

"An act authorising James Watson to sell and convey a tract of land in Bedford county, of which Samuel Moore died seized."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kelley in the chair, on bill No. 212, from the House of Representatives, entitled,

"An act authorising the administrators of Henry Hurst, deceased, to sell and convey real estate."

After some time,

The committee rose and the chairman reported the bill without amendment.

Adjourned until 10 o'clock, to-morrow morning.

**THURSDAY, March 22, 1827.**

Mr. Winter presented the petition of sundry citizens of Northampton county, praying that the Pennsylvania canal commissioners be directed to cause surveys and estimates to be made for a canal from the tide waters of the river Delaware, to a point on said river at or near Carpenter's Point.

Mr. King presented the petition of sundry stockholders of the Northampton Bank, praying for certain alterations in their act of incorporation.

Said petitions were laid on the table.

Mr. Ogle presented the petition and documents of George May, of Somerset county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of John Miller, reported:

That the petitioner states that he enlisted at Reading, about the month of June, 1776, in the company commanded by Captain Jacob Crowl, in the regiment commanded by Col. Hollow—that his term of service was six months in the Flying Camp, and served out his term, and was honorably discharged—and that he is sixty-five years old, and unable to labor, and in indigent circumstances, and therefore prays relief.

Your committee have carefully examined the petition and documents of John Miller, and find, agreeably to his own shewing, he must have entered the army at about 14 years of age, and served six months, and nothing more during the whole of the revolutionary struggle; and that he never was taken prisoner, nor suffered any extraordinary hardships, nor is the evidence of his services very satisfactory. Your committee, therefore, deem it inexpedient to grant the prayer of the petitioner, and offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Ryon,

The resolution attached to the above report was read the second time, considered and adopted.

Mr. Hambright read in his place, and on leave given, presented to the chair, bill No. 246, entitled

“A further supplement to the act entitled an act regulating arbitrations, passed the 20th day of March, A. D. 1810.”

Mr. Duncan read in his place, and on leave given, presented to the chair, bill No. 247, entitled

"An act to provide for the election of a representative in the second congressional district of this state, in the House of Representatives, in the congress of the United states."

Mr. Hay read in his place, and on leave given, presented to the chair, bill No. 248, entitled

"An act to incorporate the female hospitable society."

Mr. Ryon read in his place, and on leave given, presented to the chair, bill No. 249, entitled

"An act relative to turnpike road, bridge and other companies."

Said bills were read the first time.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 170. "A supplement to an act entitled an act to provide for the education of children at the public expense within the city and county of Philadelphia."

No. 225. "An act to enable John Seager, administrator de bonis non, &c. of Peter Miller, deceased, to make title to real estate."

Ordered, That the clerk present bills to the House of Representatives for concurrence.

Bill No. 94, from the House of Representatives, entitled

"A supplement to the act entitled an act limiting the time during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers."

Was read the third time.

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Dunlop and Mr. Kerlin, and are as follow, viz.

YEAS.  
Messrs. Allshouse,  
Audenried,  
Emlen,  
Garber,  
Hambright,  
Hamilton,  
Hawking,  
Hay,  
Herbert,  
Hunt,  
Kerlin,  
King,

YEAS.  
Messrs. Knight,  
Leech,  
Logan,  
Mann,  
Pomer,  
Ray,  
Ryon,  
Schaff,  
Seltzer,  
Sullivan,  
Winter,  
Mahon, Speaker, 24.

NAME.

NAME.

Messrs. Dunlop,  
Kelley,  
Kitchin,

Messrs. Moore,  
Ogle,  
Sturgeon,

6.

So it was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Bill No. 192, from the House of Representatives, entitled  
"An act supplementary to an act passed the 28th March, 1814, entitled an act making provision for the travelling expenses of the president and associate judges of the courts of common pleas,"

Was read the third time.

On the question,  
Shall this bill pass?

A motion was made by Mr. King and Mr. Seltzer,  
To postpone the question, together with the bill, for the present.  
Which was agreed to.

On motion of Mr. Mann and Mr. Power,  
The resolution relative to the final adjournment of the legislature,

Was read the second time.

The same being under consideration,  
A motion was made by Mr. Ray and Mr. Power,  
To amend the same, by striking therefrom the words "twenty-seventh day of March," and inserting in lieu the words "tenth day of April."

On the question,  
Will the Senate agree to the motion?

A division of the question was called for by Mr. Kitchin, to end with striking out.

On the question,

Will the Senate agree to strike out of the resolution the words "twenty-seventh day of March?"

It was determined in the affirmative.

On the question,  
Will the Senate agree to fill the blank with the words "tenth day of April?"

A motion was made by Mr. Duncan and Mr. Petrikia,  
To fill the blank with the "seventeenth day of April."  
Which was not agreed to.

The question recurring,

Will the Senate agree to fill the blank with the words "tenth day of April?"

It was determined in the affirmative.

The resolution, as amended, was then adopted.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Senate resumed the second reading and consideration of bill No. 224, entitled

"An act to authorise the Baltimore and Ohio rail road company, to construct a rail road through Pennsylvania, in a direction from Baltimore to the Ohio river."

The question recurring,

Will the Senate agree to postpone the eighth section, for the purpose of introducing the manuscript section?

A motion was made by Mr. Sturgeon and Mr. Dunlop,

To postpone the question until to morrow, and that the bill, together with the proposed amendments, be re-printed, and numbered 250.

Which was agreed to.

Bill No. 209, entitled

"An act to vest in Ann Maria Kamrer the right of this commonwealth to the real and personal estate of her illegitimate son John M'Gray, late of Warwick township, Lancaster county,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Dunlop and Mr. Hamilton,  
To amend the same by striking therefrom the proviso.

Which was agreed to.

The section as amended was then agreed to.

The second section was considered and agreed to.

The title was considered and agreed to, after being amended as to read

"An act relating to the escheated estates of John M'Gray and John Weemly."

Ordered, That said bill be transcribed for the third reading.

Bill No. 211, from the House of Representatives, entitled

"An act authorising James Watson to sell and convey a tract of land in Bedford county, of which Samuel Moore died seized,"

Was read the second time, and

Ordered, To be prepared for the third reading.



Bill No. 212, from the House of Representatives, entitled  
"An act authorising the administrators of Henry Hurst, deceased, to sell and convey real estate,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Leech and Mr. Kitchin,

To postpone the further consideration of the bill for the present.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 213, from the House of Representatives, entitled

"An act to authorise Philip J. King, of York to sell a certain house and lot of ground situate in the borough of York, and to execute a title for the same; and to enable Benjamin Moser and Christian Moser, administrators of Dr. John Moser, deceased, to convey real estate."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. King in the chair, on bill No. 214, from the House of Representatives, entitled

"An act to authorise the trustees of Athens township, Bradford county, to convey certain lands,"

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kitchin in the chair, on bill No. 216, from the House of Representatives, entitled

"An act authorising the guardian of the minor children of John E. Latta to sell and convey certain real estate."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 217, from the House of Representatives, entitled

"An act authorising John Hunter, of the county of Delaware, to sell and convey certain real estate."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No. 218, from the House of Representatives, entitled

"An act to authorise the trustees of the Methodist meeting house, in Germantown, in the county of Philadelphia, to dispose of the same."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Logan in the chair, on bill No. 221, from the House of Representatives, entitled,

"An act to enable the guardians of the minor children of Thomas J. Paschall and Mary H. Morris, to sell and lease on improvement certain land in Schuylkill county."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 228, from the House of Representatives, entitled

"An act to enable the Governor to incorporate a company to make a turnpike road from the northern termination of the York and Conewago turnpike road to the west end of the Harrisburg bridge."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cagle in the chair, on bill No. 229, from the House of Representatives, entitled

"A further supplement to the act entitled an act to authorise the governor to incorporate a company for erecting a bridge over the river Susquehanna, at the town of Danville."

After some time,

The committee rose and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on resolution No. 241, from the House of Representatives, entitled

"Resolution relative to infant schools, in the first school district of Pennsylvania,"

After some time,

The committee rose, and the chairman reported the resolution without amendment.

A motion was made by Mr. Ogle and Mr. Ryon,  
That the Senate adjourn?

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Hamilton, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Hamilton, Hay, Herbert, Hunt,	Messrs. Knight, Logan, Mann, Ogle, Ryon, 10.
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Garber, Hambricht, Hawkins, Kelley, King, Kitchin, Leecn, Moore,	Messrs. Petrikin, Power, Ray, Schall, Seltzer, Sturgeon, Sullivan, Winter, Mahon, speaker, 19.

So it was determined in the negative.

On motion of Mr. King and Mr. Winter,

The Senate resolved itself into a committee of the whole, Mr. Petrikin in the chair, on bill No. 203, from the house of Representatives, entitled

"A supplement to an act entitled an act for establishing and building a bridge across the river Lehigh, at Bethlehem, in the county of Northampton, passed April 3d, A. D. 1792.

After some time,

The committee rose, and the chairman reported the bill with one amendment.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill entitled as follows, viz.

No 251. "An act to provide for the further extension of the Pennsylvania Canal."

Said bill was read the first time.

The deputy secretary of the commonwealth being introduced, presented a message from the governor, which was read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the general assembly, and directed the secretary of the commonwealth to return them to the Senate in which they originated, viz.

No. 64. "An act authorising the governor to incorporate the Mahanoy navigation company."

No. 133. "An act to authorise Samuel Humes, jr. guardian of Fidelity R. Van Dyke, to sell and convey certain real estate."

J. ANDW. SHULZE.

*Harrisburg, March 22, 1827.*

Laid on the table.

Adjourned until 10 o'clock, to-morrow morning.

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## FRIDAY, March 23, 1827.

Mr. Mann presented the petition and documents of Andrew Long, of Fayette county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

The deputy secretary of the commonwealth being introduced, presented a message from the governor, accompanied with documents, which were read as follow, viz:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have directed the secretary of the commonwealth to lay before the legislature, a copy of a letter from George B. Porter, Esquire,

adjutant general of the state of Pennsylvania, together with a return of the militia, and also the return of ordnance, camp equipage and military stores, the property of the commonwealth, deposited in the state arsenals and in the several brigades.

J. ANDW. SHULZE.

*Harrisburg, March 22, 1827.*

ADJUTANT GENERAL'S OFFICE,  
*Lancaster, March 10, 1827.*

*His Excellency J. Andw. Shulze,*  
*Governor of Pennsylvania.*

SIR—Agreeably to the provisions of the act of assembly, for the regulation of the militia of this commonwealth, I have the honor to present to you, to be submitted to the legislature, the enclosed detailed report of the militia, particularly designating *“the number of militia in each brigade and regiment, and the number and kind of volunteer corps attached to the same respectively.”* And also, a return of the ordnance, camp equipage, and military stores, in the state arsenals, with the state and condition thereof.

This report has, unavoidably, been delayed beyond the usual time, in consequence of the neglect of several brigade inspectors to make their annual returns, although directed to forward them to this office in September last—of the sickness, and consequent inability, of the keeper of the Philadelphia arsenal, to make his report when required; but, more particularly, under the expectation that from information I would receive from the War Department, something of importance might be communicated, on the subject of the settlement of the heavy account between this state and the United States, for arms, camp equipage, and military stores, that passed between the two governments from the year 1808 to 1816; which, by the act of assembly, passed the 29th of March, 1824, the auditor general and adjutant general were authorised to adjust and settle with the government of the United States. I am sorry, that, after this long delay, it is not in my power to present a more acceptable statement of the situation of this account. As, however, it is not in the power of the auditor general and myself *“to render an account of the settlement,”* as required by the act of assembly, because no final settlement has yet been effected, I consider it proper to report the present situation of it. The importance of this business is not generally known. The account of the United States against the state, consisting of issues of arms, camp equipage, and military stores, of almost every description, amounts in value to between three and four hundred thousand dollars. Regular vouchers are, in most instances, produced, supporting the items of charges, as the officers of the general government usually took duplicate receipts, for all articles issued to the executive, or other officers of the state. On the part

The first section being under consideration,

A motion was made by Mr. Leech and Mr. Sutherland.

To amend the same, by inserting after the word "Erie," where it occurs the second time, the following: "by the route of Beaver and Shenango."

Which was agreed to.

A motion was then made by Mr. Kelley and Mr. Leech,

Further to amend the section, by inserting after the word "Erie," where it first occurs, the following: "by the Allegheny river and French creek."

Which was agreed to.

A motion was made by Mr. Ray and Mr. Moore,

Further to amend the section, by inserting, after the word "Blairsville," the following: "and also a canal, locks, and other works necessary thereto, up the valley of the Susquehanna, from the said eastern section of the Pennsylvania Canal to a point at or near the town of Northumberland, to be selected with due regard to the accommodation of the trade of both branches of said river."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Logan and Mr. Hamilton, and are as follow, viz.

YEAS.	YEAS
Messrs. Duncan, Emlen, Garber, Hay, Hunt, Kelley, Kerlin, King, Knight,	Messrs. Leech, Moore, Petrikin, Power, Ray, Ryon, Sullivan, Sutherland, Winter, 18.
NAYS.	NAYS.
Messrs. Allshouse, Audenried, Dunlop, Hambright, Hamilton, Hawkins, Herbert, Kitchin,	Messrs. Logan, Mann, Ogle, Schall, Seltzer, Sturgeon, Mahon, Speaker, 15.

So it was determined in the affirmative.

On the question,

Will the Senate agree to the section as amended?

The yeas and nays were required by Mr. Emlen and Mr. Mann, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Duncan,		Messrs. Leech,	
Emlen,		Moore,	
Garber,		Petrikín,	
Hawkins,		Power,	
Hay,		Ray,	
Hunt,		Ryon,	
Kelley,		Sullivan,	
Kerlin,		Sutherland,	
King,		Winter,	19.
Knight,			
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Logan,	
Audenried,		Mann,	
Dunlop,		Ogle,	
Hambright,		Schall,	
Hamilton,		Seltzer,	
Herbert,		Sturgeon,	
Kitchin,		Mahon, Speaker,	14.

So it was determined in the affirmative.

The second section being under consideration,

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Dunlop and Mr. Knight, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Knight,	
Audenried,		Leech,	
Duncan,		Logan,	
Dunlop,		Moore,	
Emlen,		Petrikín,	
Garber,		Power,	
Hambright,		Ray,	
Hamilton,		Schall,	
Hawkins,		Seltzer,	
Hay,		Sturgeon,	
Herbert,		Sullivan,	
Hunt,		Sutherland,	
Kelley,		Winter,	
Kerlin,		Mahon, speaker,	29.
Kitchin,			
NAYS.		NAYS.	
Messrs. King,		Messrs. Ryon,	6.
Mann,			

So it was determined in the affirmative.

The third section being under consideration,

A motion was made by Mr. Kerlin and Mr. Hunt,

To postpone the section for the present, for the purpose of introducing the following, to be called section 3.

And be it further enacted by the authority aforesaid, That it shall be the duty of the board of canal commissioners to cause examination, survey and estimate of the route for a canal, and also for a rail way, with locomotive or stationary engines, from Philadelphia through Chester and Lancaster counties, so as to connect by the nearest and most eligible route with the eastern section of the Pennsylvania Canal; and in addition thereto, to cause the necessary surveys, examinations and estimate to be made down the Brandywine river, to a point north of the Delaware state line; thence across the dividing ridge, between said river and Chester creek; thence down the same to the river Delaware. And if it shall be ascertained that the waters of the Brandywine cannot be diverted from their natural channel, then to make all the necessary examinations for a portage or railway across said ridge.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Hunt, and are as follow, viz.

YEAS.	YEAS.
Messrs Duncan, Dunlop, Emlen, Garber, Hawkins, Hay, Hunt, Kelley, Kerlin, King, Kitchin,	Messrs. Knight, Leech, Logan, Moore, Petrikin, Power, Ray, Sullivan, Sutherland, Winter, Mahon, speaker. 22.
NAYS.	NAYS.
Messrs. Allshouse, Andenried, Hambricht, Hamilton, Herbert, Mann,	Messrs. Ogle, Ryon, Schall, Seltzer, Sturgeon, 11.

So it was determined in the affirmative.



The manuscript section being under consideration,

A motion was made by Mr. Duncan and Mr. King,

To amend the same, by adding thereto the following: "and shall also cause an examination or survey to be made, to ascertain the practicability and cost of forming a connection of the north branch of the Susquehanna and the Lehigh rivers, by means of canal or rail-way.

Which was agreed to.

A motion was then made by Mr. Hambright and Mr. Hamilton,

Further to amend the manuscript section, by adding thereto the following: "And the canal commissioners shall also cause surveys and estimates to be made as soon as convenient, from the termination of the Pennsylvania canal at the mouth of the Swatara down the east side of the Susquehanna river to the Maryland line; and make report to the next legislature, of the expense and practicability of extending the Pennsylvania Canal to the intersection of the Maryland line and the said river.

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Emlen and Mr. Hawkins, and are as follow, viz.

YEAS.

Messrs. Duncan,  
Dunlop,  
Hambright,  
Hamilton,  
Hawkins,  
Herbert,  
Kelley,  
King,  
Logan,

NAYS.

Messrs. Allshouse,  
Audenried,  
Emlen,  
Garber,  
Hay,  
Hunt,  
Kerlin,  
Kitchin,

YEAS.

Messrs. Mann,  
Ogle,  
Power,  
Ryon,  
Schall,  
Sturgeon,  
Winter,  
Mahon, speaker, 17.

NAYS.

Messrs. Knight,  
Leech,  
Moore,  
Petrikin,  
Ray,  
Seltzer,  
Sullivan,  
Sutherland, 16.

So it was determined in the affirmative.

On the question,

Will the Senate agree to the section as amended?

A motion was made by Mr. Logan and Mr. Herbert,

Further to amend the same, by inserting, after the word "east,"

where it occurs the last time, the words "and west," and by making the word "side," read "sides."

Which was agreed to.

The question recurring,

Will the Senate agree to the manuscript section as amended?

The yeas and nays were required by Mr. Emlen and Mr. Petrikin, and are as follow, viz.

YEAS.	YEAS.
Messrs. Dunlop, Hambright, Hamilton, Hunt, Kelley, Kerlin, King, Logan,	Messrs. Mann, Ogle, Ryon, Schall, Seltzer, Sutherland, Winter, Mahon, Speaker, 16.
NAYS.	NAYS.
Messrs. Allshouse. Audenried, Duncan, Emlen, Garber, Hawkins, Hay, Herbert, Kitchin,	Messrs. Knight, Leech, Moore, Petrikin, Power, Ray, Sturgeon, Sullivan, 17.

So it was determined in the negative.

The third section being then under consideration,

On the question,

Will the Senate agree to the third section?

A motion was made by Mr. Audenried and Mr. Ogle,

To amend the same, by striking out of the second line the words "one million," and inserting in lieu the words "five hundred thousand."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Kitchin and Mr. Logan?

To postpone the question, and that the bill be committed to the committee on roads, bridges and inland navigation.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Hamilton, and are as follow, viz.

YEAS.

Messrs. Allshouse,  
Hambright,  
Hamilton,  
Hawkins,  
Herbert,  
King,  
Kitchin,

NAYS.

Messrs. Audenried,  
Duncan,  
Dunlop,  
Emlen,  
Garber,  
Hay,  
Hunt,  
Kelley,  
Kerlin,  
Knight,

YEAS.

Messrs. Logan,  
Mann,  
Ogle,  
Schall,  
Seltzer,  
Mahon, Speaker.

13.

NAYS.

Messrs. Leech,  
Moore,  
Petrikin,  
Power,  
Ray,  
Ryon,  
Sturgeon,  
Sullivan,  
Sutherland,  
Winter,

20.

So it was determined in the negative.

The question recurring,  
Will the Senate agree so to amend?

The yeas and nays were required by Mr. Audenried and Mr. Schall, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Hambright,  
Hamilton,  
Herbert,  
Kitchin,

NAYS.

Messrs. Allshouse,  
Duncan,  
Dunlop,  
Emlen,  
Garber,  
Hawkins,  
Hay,  
Hunt,  
Kelley,  
Kerlin,  
King,  
Knight,

YEAS.

Messrs. Logan,  
Ogle,  
Schall,  
Sturgeon,

9.

NAYS.

Messrs. Leech,  
Mann,  
Moore,  
Petrikin,  
Power,  
Ray,  
Ryon,  
Seltzer,  
Sullivan,  
Sutherland,  
Winter,  
Mahon, Speaker,

24.

So it was determined in the negative.

The question then recurring,  
Will the Senate agree to the third section?

The yeas and nays were required by Mr. Sturgeon and Mr. Petrikin, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Duncan, Dunlop, Emlen, Garber, Hawkins, Hay, Hunt, Kelley, Kerlin, King, Kitchin,	Messrs. Knight, Leech, Logan, Moore, Ogle, Petrikin, Power, Ray, Ryon, Sullivan, Sutherland, Winter, 24.
NAYS.	NAYS
Messrs. Audenried, Hambright, Hamilton, Herbert, Mann,	Messrs. Schall, Seltzer, Sturgeon, Mahon, Speaker, 9.

So it was determined in the affirmative.

The fourth section being under consideration,  
A motion was made by Mr. Petrikin and Mr. Power,  
To postpone the question on the section, for the present, for the purpose of re considering the vote negating the manuscript section three, as amended.

Which was agreed to.

On the question,  
Will the Senate re-consider the vote on the manuscript section?

The yeas and nays were required by Mr. Sturgeon and Mr. Seltzer, and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan, Hambright, Hay, Hunt, Kelley, Kerlin, King, Kitchin, Knight, Leech,	Messrs. Logan, Moore, Ogle, Petrikin, Power, Ryon, Sutherland, Winter, Mahon, Speaker, 19.

NAYS.

Messrs. Allshouse,  
Audenried,  
Emlen,  
Garber,  
Hamilton,  
Hawkins,  
Herbert,

NAYS.

Messrs. Mann,  
Ray,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,

13.

So it was determined in the affirmative.

The question then recurring,

Will the Senate agree to the manuscript section as amended?

A motion was made by Mr. Kerlin and Mr. Petrikin,  
To postpone the question, and that the Senate resolve itself into  
a committee of the whole, for the purpose of amending the manu-  
script section.

Which was agreed to.

Whereupon,

The Senate resolved itself into a committee of the whole, on  
said section, Mr. Hunt in the chair.

After some time,

The committee rose, and the chairman reported the section with-  
out amendment.

The question then recurring,

Will the Senate agree to the manuscript section as amended?

The yeas and nays were required by Mr. Mann and Mr. Em-  
len, and are as follow, viz.

YEAS.

Messrs. Duncan,  
Dunlop,  
Hambright,  
Hamilton,  
Hunt,  
Kelley,  
Kerlin,  
King,  
Kitchin,

YEAS.

Messrs. Logan,  
Ogle,  
Petrikin,  
Power,  
Byon,  
Sutherland,  
Winter,  
Mahon, Speaker,

17.

NAYS.

Messrs. Allshouse,  
Audenried,  
Emlen,  
Garber,  
Hawkins,  
Hay,  
Herbert,  
Knight,

NAYS.

Messrs. Leech,  
Mann,  
Moore,  
Ray,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,

16.

So it was determined in the affirmative.

The third section of the printed bill was then numbered accordingly.

The fourth now fifth section, being again under consideration,  
A motion was made by Mr. Leech and Mr. Power,  
To amend the same, by striking therefrom all that follows the word "Erie," in the eleventh line, to the end of the section?  
Which was agreed to.

The section, as amended, was then agreed to.

The fifth and sixth, now sixth and seventh sections, were severally considered and agreed to.

The seventh, now eighth section, being under consideration,  
A motion was made by Mr. Kerlin and Mr. Garber,  
To amend the same, by inserting, after the word "and," where it occurs the second time in the fifth line, these words, "a point at or near."  
Which was agreed to.

A motion was then made by Mr. Knight and Mr. Duncan,  
To amend the same, by inserting, after the word "examinations," in the second line, the words "as aforesaid," and by striking out of the fifteenth line the word "third," and inserting in lieu the word "fourth."  
Which was agreed to.

(On the question,  
Will the Senate agree to the section as amended.

The yeas and nays were required by Mr. Hawkins, and Mr. Sturgeon, and are as follow, viz.

YEAS.	NAYS.
Messrs. Duncan, Emlen, Garber, Hay, Hunt, Kelley, Kerlin, King, Kitchin, Knight,	Messrs. Leech, Moore, Petrikin, Power. Ray, Ryon, Sullivan, Sutherland, Winter,
NAYS.	NAYS.
Messrs. Allshouse, Audenried, Dunlop, Hambright, Hamilton, Hawkins, Herbert,	Messrs. Logan, Mann, Ogle, Schall, Seltzer, Sturgeon, Mahon, speaker.

19.

14.

So it was determined in the affirmative.

The eighth, now ninth section, being under consideration,

A motion was made by Mr. Kerlin and Mr. Hunt,

To amend the same, by adding thereto the following proviso.

Provided, That in cases where small portions of private property are, or may be in a great measure destroyed by the public works, and where, in the opinion of the commissioners, it would be more advantageous to purchase the land, than pay the probable amount of an assessment of damages, said commissioners are hereby authorised to purchase such lands on behalf of the state, and to sell the remainder, not occupied by the canal, and convey to the purchasers respectively the estate and title thus acquired; and in cases where fences may be thrown down, fields lain open, or crops and gardens destroyed by the temporary occupancy of the ground, in constructing the canal the acting commissioners shall have power to settle with and pay the owner such damages as may be reasonable and just, not exceeding in any one case the sum of twenty dollars, without the approbation of the board.

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Ogle and Mr. Allshouse,

That the Senate adjourn?

Which was agreed to, and

The Senate adjourned until 9 o'clock, to-morrow morning.

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## SATURDAY, March 31, 1827.

Mr. Hay presented the memorial of sundry citizens of the city and county of Philadelphia, praying for the passage of an act authorising a lottery for the relief of the surviving officers and soldiers of the revolution.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of John Barns and Henry Burgler, reported:

That the petitioners state, that in consequence of the services of their father, during the revolutionary war, they have been induced, as his heirs, to make application for compensation for a

tract of donation land, to which they believed him entitled. Your committee, however, have been very particular in examining the petition and documents referred to them, as well as the books containing the names of those veterans who served to the end of the war; and inasmuch as his name does not appear among the list of those who served to the end of the war, nor any other evidence to induce your committee to believe he was entitled; they therefore deem it inexpedient to grant the prayer of the petitioners, and offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Kerlin,

The resolution attached to the above report, was read the second time, considered and adopted.

Bill No. 131, from the House of Representatives, entitled "An act to annul the marriage contracts of Nicholas Black and Fanny his wife William Fleming and Rebecca his wife, and John C. Hale, otherwise John Hill, and Matilda his wife,"

Was read the third time.

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Ogle and Mr. Mann, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Garber, Hambright, Hamilton, Hawkins, Hay, Herbert, Hunt, Kelley, Knight, Leech,	Messrs. Logan, Petrikin, Power, Ryon, Schall, Sturgeon, Sullivan, Sutherland, Winter, Mahon, speaker, 21.
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Dunlop, Emlen, Kerlin,	Messrs. King, Kitchin, Mann, Ogle, Ray, 10.

So it was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.



A motion was made by Mr. Hawkins and Mr. Petrikin, and read as follows:

No. 272. "Resolution relative to the printing of the laws relating to the circuit court system.

Be it resolved by the Senate and House of Representatives of the commonwealth of Pennsylvania in general assembly met, That the secretary of the commonwealth be and he is hereby authorised and required to cause to be printed and published, by way of appendix to the pamphlet laws of the present session, all the laws relating to the circuit court system.

Laid on the table.

The Senate resumed the second reading and consideration of bill No. 251, from the House of Representatives, entitled

"An act to provide for the further extension of the Pennsylvania Canal."

The eighth, now ninth section, being again under consideration.

The question recurring,  
Will the Senate agree so to amend?

A motion was made by Mr. Kerlin and Mr. Knight,

To amend the amendment, by adding thereto the following: "and said board is hereby authorised to make an amicable adjustment of any damages whatever, sustained by the owner or owners of any land through which any canal or railroad, to be made at the expense of the state, passes or is intended to pass; and nothing herein contained, shall be construed to prevent said board, or a majority of them, from agreeing with the owner or owners of any land (through which any canal, to be made at the expense of the state passes, or is intended to pass) for the purchase, use and occupation thereof, in behalf of the state."

Which was agreed to.

The amendment, as amended, was then agreed to.

The question recurring,  
Will the Senate agree so to amend?

It was determined in the affirmative.

The section, as amended, was then agreed to.

The ninth, now tenth section, being under consideration,

A motion was made by Mr. Audenried and Mr. Schall,

To amend the same, by striking therefrom the proviso.

Which was agreed to.

A motion was then made by Mr. Knight and Mr. Duncan,

To amend the section, by adding thereto the following proviso. Provided, That, in any case, where the waters; or the use thereof, granted or leased by virtue of this act, are resumed as afore-

said, damage or compensation shall be paid or allowed to any person or persons, who may have made any improvement or erection in consequence of any grant or lease, except in case of forfeiture or default of payment of rent.

Which was agreed to.

The question recurring,

Will the Senate agree to the section as amended?

It was determined in the negative.

The tenth section being under consideration,

On the question,

Will the Senate agree to the section?

A motion was made by Mr. Kerlin and Mr. Audenried,

To postpone the question for the present, for the purpose of introducing the following, to be called section 10.

And be it further enacted by the authority aforesaid, That if it shall be determined by a resolution of the board of canal commissioners, hereby required to be made within two years from the passage of this act, that a communication by navigable canal, or partly by canal, and partly by rail way, or portage, on the route from Philadelphia through Chester, Lancaster and Delaware counties, is not expedient and proper to be made by the state, in that case the governor is hereby authorised and directed to subscribe, on behalf of the state, for one half the shares in the company for making a rail road, intended to pass from Columbia through Lancaster, Chester and Delaware counties, to Philadelphia, authorised by an act of April 7, 1826, entitled "An act to incorporate the Columbia, Lancaster, and Philadelphia, rail road company:" Provided, That no part of the money shall be paid by the state until sufficient number of shares shall have been subscribed by individuals, in addition to those subscribed by the state, to warrant the issuing letters patent by the governor, erecting the company into a body politic and corporate, as is provided for by the second section of the act aforesaid: Provided, That the state reserves the right of appointing one half the directors of said company.

On the question,

Will the Senate agree to the motion?

A division of the question was called for by Mr. Kitchin, to end with postponing.

On the question,

Will the Senate agree to postpone the question on the tenth section?

The yeas and nays were required by Mr. Hunt and Mr. Seltzer, and are as follow, viz.

YEAS.

Messrs. Duncan,  
Dunlop,  
Emlen,  
Hambright,  
Hamilton,  
Hay,  
Hunt,  
Kelley,  
Kerlin,

NAYS.

Messrs. Allshouse,  
Audenried,  
Garber,  
Hawkins,  
Herbert,  
Knight,  
Mann,

YEAS.

Messrs. King,  
Kitchin,  
Logan,  
Ogle,  
Power,  
Ryon,  
Sutherland,  
Mahon, speaker, 17.

NAYS.

Messrs. Moore,  
Ray,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,  
Winter, 14

So it was determined in the affirmative.

On the question,

Will the Senate agree to the manuscript section?

The yeas and nays were required by Mr. Hawkins and Mr. Ogle, and are as follow, viz.

YEAS.

Messrs. Duncan,  
Emlen,  
Hambright,  
Hamilton,  
Hay,  
Hunt,  
Kelley,  
Kerlin,

NAYS.

Messrs. Allshouse,  
Audenried,  
Dunlop,  
Garber,  
Hawkins,  
Herbert,  
Knight,  
Mann,

YEAS.

Messrs. King,  
Leech,  
Logan,  
Ogle,  
Power,  
Ryon,  
Sutherland,  
Mahon, speaker, 10.

NAYS.

Messrs. Moore,  
Petrikin,  
Ray,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,  
Winter, 16.

So it was determined in the negative.

The question recurring,

Will the Senate agree to the section?

A motion was made by Mr. Mann and Mr. Hay,

To amend the same by striking out of the tenth line after the word "road" the words "which shall," and inserting in lieu, the words "as may."

Which was agreed to.

A motion was then made by Mr. Kerlin and Mr. Hunt,

Further to amend the section by adding thereto the following proviso:

Provided, That any person interested who may be dissatisfied with the determination of said commissioners, shall have the right of appealing by petition to the board of canal commissioners, whose determination thereon shall be final.

Which was agreed to.

On the question,

Will the senate agree to the section as amended:

It was determined in the affirmative.

The eleventh section was considered and agreed to.

The twelfth section being under consideration,

A motion was made by Mr. Dunlop and Mr. Herbert,

To amend the same by striking out all that follows the enacting clause to the word "and" where it occurs the second time, in the fourth line, and inserting in lieu the following:

"That the canal commissioners are hereby required, as soon as may be convenient, to cause surveys and estimates to be made through the valleys of the Conedoguinnet, Yellowbreeches and Conococheague creeks, with a view to the connection of the rivers Susquehanna and Potomac by a canal, and make report of the practicability and probable expense thereof."

Which was agreed to.

A motion was then made by Mr. Dunlop and Mr. Herbert,

Further to amend the section by inserting after the manuscript amendment the following:

"And if the said canal is ascertained to be practicable, at a reasonable expense, to locate and complete the same as soon as convenient as far as the summit level thereof, and such sum as may be estimated by the said commissioners to be necessary to complete the same, is hereby appropriated for the completion of such canal, to be paid in the manner of other appropriations, as set forth in the third section of this act,"

Which was not agreed to.

A motion was made by Mr. Knight and Mr. Duncan,

To amend the section by striking out of the ninth line the words "canal and," and out of the same line after the word road, the word "respectively."

Which was agreed to.

The section as amended was then agreed to.

The thirteenth section being under consideration,

On the question,

Will the Senate agree to the section?

A motion was made by Mr. Seltzer and Mr. Allshouse,

To postpone the question for the present, for the purpose of introducing the following, to be called section 13.

And be it further enacted by the authority aforesaid, That the board of canal commissioners are hereby authorised and required, previous to the location of that part of the canal, from the eastern section, to a point at or near Northumberland, on the west branch, to cause a survey and exploration on the east side of the Susquehanna, from the end of the said eastern section to a point opposite the town of Northumberland, and the said board, after taking into view the relative advantages, facility, costs of construction, and interest of the commonwealth, shall decide whether the said canal shall be located on the eastern or western side of the said Susquehanna river. Or if said commissioners should be of opinion, that any part of said canal could be carried along the eastern shore of the aforesaid river, to any point between the end of the eastern section and a point opposite the town of Northumberland, they may so locate and contract for said canal and locks, and are authorised to pass to the other side of the river, at any point they may deem proper in the manner now contemplated of passing the river at the mouth of the Juniata.

Which was agreed to.

On the question,

Will the Senate agree to the manuscript section?

A motion was made by Mr. Duncan and Mr. King,

To amend the same, by inserting after the word "required," those words, "if they deem it necessary."

Which was agreed to.

On the question,

Will the Senate agree to the manuscript section as amended?

The yeas and nays were required by Mr. Petrikin and Mr. Seltzer, and are as follow, viz,

YEAS.

Messrs. Allshouse,  
Audenried,  
Hambright,  
Hamilton,  
Herbert,  
Hunt,  
Kelley,  
Kitchin,  
Knight,

YEAS.

Messrs. Logan,  
Ogle,  
Ray,  
Ryon,  
Seltzer,  
Sturgeon,  
Sutherland,  
Winter,  
Mahon, Speaker,

18.

## NAYS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hawkins,  
Hay,  
Kerlin,  
King,

## NAYS.

Messrs. Leech,  
Mann,  
Moore,  
Petrikin,  
Power,  
Schall,  
Sullivan,

14:

So it was determined in the affirmative.

The thirteenth, now fourteenth section, being again under consideration,

The question recurring,

Will the Senate agree to the section?

A motion was made by Mr. Sutherland and Mr. Schall,

To postpone the question for the present for the purpose of introducing the following, to be called section 14.

And be it further enacted by the authority aforesaid, That the canal commissioners be and they are hereby authorised and required to examine the proposed route of the Schuylkill and Delaware canal, commencing in the vicinity of the United States arsenal upon the east bank of the Schuylkill, and terminating at the river Delaware, at the south of the navy yard, in the district of Southwark, in the county of Philadelphia, and make report to the legislature, at its next session, whether the said route will form a necessary link in the line of the Pennsylvania Canal, connecting the western waters with the river Delaware, and if so, to furnish an estimate of the probable costs of constructing said canal.

Which was agreed to.

The manuscript section was considered and agreed to.

The thirteenth, now fifteenth section, being again under consideration,

The question again recurring,

Will the Senate agree to the section?

A motion was made by Mr. Logan and Mr. Sutherland,

To postpone the question for the present, for the purpose of introducing the following, to be called section 15.

And be it further enacted by the authority aforesaid, That the canal commissioners be, and they are hereby authorised and directed to employ one or more engineers, to make examinations with a view to a canal, or slack water navigation, up the river Codorus and Conewago creek, and make estimates of the probable expense of the same, and make report thereof to the governor, who is hereby required to lay the same before the legislature, on or before the first day of January, 1828.

Which was agreed to.

On the question,  
Will the Senate agree to the manuscript section?

The yeas and nays were required by Mr. Hawkins and Mr. Hamilton, and are as follow, viz.

YEAS.	YEAS
Messrs. Audenried, Hambright, Hamilton, Herbert, Kitchin, Logan, Mann,	Messrs. Ogle, Schall, Seltzer, Sutherland, Winter, Mahon, Speaker, 13.
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Dunlop, Emlen, Garber, Hawkins, Hay, Hunt, Kelley, Kerlin,	Messrs. King, Knight, Leech, Moore, Petrikin, Power, Ray, Ryon, Sturgeon, Sullivan, 20.

So it was determined in the negative.

The 13th, now 15th section, being again under consideration,

The question then recurring,

Will the Senate agree to the section,

A motion was made by Mr. Hay and Mr. Hunt,

To amend the same, by striking out of the second line, the words, "so far as they are applicable, contained in," and inserting in lieu, the word "of," and to strike out of the fifth line, the word "respects," and to insert in lieu, "they are applicable to".

Which was agreed to.

On the question,

Will the Senate agree to the section, as amended?

A motion was made by Mr. Mann and Mr. Kitchin,

To postpone the question for the present, for the purpose of introducing the following, to be called section 15.

And be it further enacted by the authority aforesaid, That it shall be the duty of the canal commissioners, to cause accurate surveys to be made from the bend (or thereabouts) of the Little Lehigh, to the head waters of the Perkiomen, and down said river to the point where the same empties into the Schuylkill, and make report to the next legislature, of the practicability of constructing a canal, to be made at the expense of the state, for the purpose of

connecting the waters of the Lehigh with those of the river Schuylkill, by way of the Perkiomen, in the county of Montgomery.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Ogle, and are as follow, viz.

YEAS.	YEAS.
Messrs. Emlen, Hambricht, Hamilton, Herbert, King, Kitchin,	Messrs. Logan, Mann, Ogle, Sutherland, Winter, Mahon, Speaker, 12.
NAYS.	NAYS
Messrs. Allshouse, Audenried, Duncan, Dunlop, Garber, Hawkins, Hay, Hunt, Kelley, Kerlin, Knight,	Messrs. Leech, Moore, Petrikin, Power, Ray, Ryon, Schall, Seltzer, Sturgeon, Sullivan, 21.

So it was determined in the negative.

The question recurring,  
Will the Senate agree to the section as amended?

A motion was made by Mr. Knight and Mr. Duncan,

To postpone the question for the present, for the purpose of introducing the following, to be called section 15.

And be it further enacted by the authority aforesaid, That the board of canal commissioners are hereby authorised to pursue such order in point of time and arrangement in making the examinations and surveys authorised in this act, as said board may deem most advantageous to the state.

Which was agreed to.

On the question,  
Will the Senate agree to the manuscript section?

The yeas and nays were required by Mr. Hamilton and Mr. Ogle, and are as follow, viz.



YEAS.	YEAS.
Messrs. Duncan, Emlen, Garber, Hawkins, Hay, Hunt, Kerlin,	Messrs. King, Knight, Power, Sturgeon, Sullivan, Sutherland, Winter, 14.
NAYS.	NAYS.
Messrs. Allshouse, Audenried, Dunlop, Hambright, Hamilton, Herbert, Kelley, Kitchin, Leech, Logan,	Messrs. Mann, Moore, Ogle, Petrikin, Ray, Ryon, Schall, Seltzer, Mahon, speaker, 19.

So it was determined in the negative.

The section, as amended, was then agreed to.

The 14th, now 16th section being under consideration,

A motion was made by Mr. Emlen and Mr. Mann,

To amend the same, by striking out of the second line, the words "five hundred thousand," and inserting in lieu, the words "one million of."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Ogle and Mr. Mann,

That the Senate adjourn?

Which was agreed to, and

The Senate adjourned until 9 o'clock, on Monday morning next.

**MONDAY, April 2, 1827.**

The Speaker laid before the Senate a letter from the Secretary of the commonwealth, which was read as follows:

**SECRETARY'S OFFICE,**

*April 2, 1827.*

*Alexander Makon, Esquire,  
Speaker of the Senate.*

**SIR—**

I have the honor to inform the Senate, that sundry documents, together with depositions, interrogatories and cross-examinations, taken in the case of John Walborn, Esquire, a justice of the peace of the county of Dauphin, before Jacob Bucher, Esquire, one of the associate judges of the court of common pleas of the said county, have this day been laid before the House of Representatives, pursuant to an act of the general assembly, passed the fourteenth day of January, 1804, entitled "An act directing the mode of taking testimony in cases of complaint against justices of the peace."

I have the honor to be,

Very respectfully,

Your ob't serv't.

**I. D. BARNARD,**

*Sec'y of Comm'lth.*

Laid on the table.

Mr. Hawkins, from the committee on the judiciary system, to whom were committed the amendments by the House of Representatives, to the bill No. 33, entitled

"An act abolishing the middle, southern, and Lancaster district of the supreme court, and establishing one at Harrisburg,"

Reported the amendments as committed.

On motion of Mr. Hawkins and Mr. King,  
The Senate non-concurred in said amendments, and

On motion,

Ordered, That Messrs. Hawkins, King and Kerlin, be a committee to confer with a similar committee from the House of Representatives (if that house should appoint such committee) on said amendments.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Hay, from the committee on the subject, on leave given, reported bill No. 274, entitled

"An act authorising the executors of Peter Blecker, deceased, to sell and convey certain real estate."

Said bill was read the first time.

Mr. Sullivan, from the committee on vice and immorality, to whom was referred the petition of Daniel W. Clark, praying to be divorced from the bonds of matrimony, Reported,

That in the opinion of the committee, the existing laws, in most cases, afford a proper and ample remedy to parties concerned in applications for divorces, and that a court of justice is the proper tribunal to make a decision.

The legislature, in passing on an application for a divorce, must of necessity, in most cases, act on ex parte testimony, and decide on the most important of all contracts, without a strict application of the rules and first principles of evidence, which ought not to be done, except in cases of peculiar hardship and necessity, in which the existing laws on the subject do not afford a remedy. The committee cannot view the present case as one of this description. They therefore offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Sullivan and Mr. Logan,

The resolution attached to the above report was read the second time, considered and adopted.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of John Shuler, Reported,

That the petitioner states he has had his full share of hardships and losses during the revolutionary war; that he hired a substitute, to whom he paid \$50 to serve during the war; that he was afterwards drafted in the militia and had to pay a heavy fine for refusing to serve his tour; that he had his team out under General Polaski about a year; and that he also turned out as a militia captain and served a tour to Jersey, and that he is now an acting justice of the peace, but is in reduced circumstances, and therefore prays the legislature to grant him some relief: Your committee, however, after a careful examination of the petition and documents, are of opinion that the prayer of the petitioner ought not to be granted: inasmuch as his losses, services and hardships were pretty similar to perhaps thousands of that day, who served and suffered in the militia; and inasmuch as it was the duty of every good citizen to serve his country in times of peril and danger for the common good: And as the petitioner does not appear to have done or suffered more than

others who have been denied the bounty of the state, they therefore believe he is not entitled to a pension, and offer the following resolution:

**Resolved,** That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Ray,

The resolution attached to the above report was read the second time, considered and adopted.

A motion was made by Mr. Garber and Mr. Audenried, and read as follows:

Whereas, the printer of the German Journal has represented, that he will not be able to print the documents connected with the Georgia controversy, in time for distribution; and whereas from the proceedings in Congress, it appears that the question has been or is likely to be adjusted,

Therefore,

**Resolved,** That the printing of the documents accompanying the governor's message, presented on the 19th of February last, relative to the Georgia controversy, be omitted on the Senate journal, in the German language.

On motion of Mr. Garber and Mr. Audenried,

The resolution was read the second time.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. Power and Mr. Ogle, and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan,	Messrs. Hunt,
Dunlop,	Kerlin,
Emlen,	Leech,
Garber,	Mann,
Hawkins,	Sturgeon.
	10
NAYS.	NAYS.
Messrs. Allshouse,	Messrs. Petrikin,
Audenried,	Power,
Hambright,	Ray,
Hamilton,	Ryon,
Hay,	Schall,
Kelley,	Seltzer,
King,	Sullivan,
Knight,	Sutherland,
Logan,	Winter,
Moore,	Mahon, speaker,
Ogle,	21.

So it was determined in the negative.

On motion of Mr. Kelley and Mr. Emlen,

The following resolution was twice read, considered and adopted.

Resolved, That the documents transmitted by the Governor of Georgia, and printed in the English language, be folded and stitched separate from the Journal of the Senate.

The Senate resumed the second reading and consideration of bill No. 251, reprinted and numbered 273, from the House of Representatives, entitled

"An act to provide for the further extension of the Pennsylvania Canal."

The fourteenth, now sixteenth section, being again under consideration,

The question recurring,

Will the Senate agree so to amend?

A motion was made by Mr. Emlen and Mr. Kerlin,

To postpone the question, together with the section, for the present, for the purpose of re-considering the vote agreeing to the fourth section of the bill.

On the question,

Will the Senate agree to the motion?

It was determined in the affirmative.

On the question,

Will the Senate agree to re-consider the vote agreeing to the fourth section?

It was determined in the affirmative.

The question then recurring,

Will the Senate agree to the fourth section?

A motion was made by Mr. Emlen and Mr. Garber,

To amend the same, by striking therefrom all that follows the enacting clause, and inserting the following: "That the governor be and he is hereby authorised to borrow, on the credit of the commonwealth, a sum not exceeding one million of dollars, and the said sum so borrowed shall be paid to and vested in the commissioners of the internal improvement fund, to be applied by them in the manner and for the purposes hereinafter directed. Provided, That no engagement or contract shall be entered into which shall preclude the commonwealth from re-embursing any sum or sums thus borrowed at any time after the expiration of twenty-three years from the first of December next."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Audenried and Mr. Schall,

To amend the amendment, by striking therefrom the words "one million of," and inserting in lieu the words "five hundred thousand."

Which was not agreed to.

The question recurring,  
Will the Senate agree so to amend?

It was determined in the affirmative.

The section, as amended, was then agreed to, and

On motion,  
Ordered, That said section be numbered section 15, and that sections 5 to 14, both inclusive, be numbered accordingly.

The fourteenth, now sixteenth section, being again under consideration,

The question recurring,  
Will the Senate agree so to amend?

It was determined in the negative.

On the question,  
Will the Senate agree to the section?

It was determined in the negative.

The 15th, now 16th section, was considered and agreed to.

The 16th, now 17th section, being under consideration,

A motion was made by Mr. Emlen and Mr. Mann,

To amend the same, by striking out all that follows the enacting clause, and inserting in lieu the following: "that there shall be paid by the state treasurer, to the commissioners of the internal improvement fund, during the current year, and during each and every year, from and after the first day of December next, out of the receipts of duties on auctions, such sum or sums as may be necessary to pay the interest on the loans authorised by this act; and the faith of the state is hereby pledged to establish a sufficient revenue for making up any deficiency that may hereafter take place in the funds appropriated for paying the said interest."

Which was agreed to.

The section, as amended, was then agreed to.

The 17th, now 18th section, being under consideration,

A motion was made by Mr. Emlen and Mr. Mann,

To amend the same, by striking therefrom all that follows the enacting clause, and inserting the following: "That it shall be the duty of the commissioners of the internal improvement fund, to cause to be paid out of the moneys borrowed, in pursuance of the fifteenth section of this act, such sum or sums as shall be necessary for the completion of the two divisions of the Pennsylvania Canal already located, as well as such other sums as may be necessary for the prosecution of the canals and public works authorised to be constructed by this act, and all such sums shall be drawn and accounted for according to the provisions of an act entitled an act to provide for the commencement of a canal to be constructed at the expense of the state, and to be styled the Pennsylvania Canal, passed the 25th day of February, 1826, and also an act entitled an act authorising a loan for the commencement

of the construction of the Pennsylvania Canal, and for other purposes, passed the 1st day of April, 1826."

Which was agreed to.

The section, as amended, was then agreed to.

The 18th, now 19th section, being under consideration,

A motion was made by Mr Emlen and Mr. Mann,

To amend the same by striking therefrom all that follows the enacting clause, and inserting the following: 'That the state treasurer, for the time being, shall be the treasurer of the internal improvement fund, and shall perform all the duties pertaining thereto, and all such moneys belonging to the said fund, as the commissioners of said fund may deem proper, shall be deposited in the Bank of Pennsylvania, subject to their drafts.'

Which was agreed to.

The section, as amended, was then agreed to.

The title being under consideration,

A motion was made by Mr. Kelley and Mr. Hawkins,

To postpone the same for the present, for the purpose of introducing the following, to be called section 20.

And be it further enacted by the authority aforesaid, That in case any contract for work on the canals, authorised by this act, shall be forfeited or abandoned by the contractors, the acting canal commissioners may re-let the same without giving notice in the newspapers as required by the sixth section of the act passed 25th February, 1826, entitled "An act to provide for the commencement of a canal to be constructed at the expense of the state, and to be styled the Pennsylvania Canal."

Which was agreed to.

The manuscript section was then considered and agreed to.

The title being again under consideration,

On the question,

Will the Senate agree to the title?

A motion was made by Mr. King and Mr. Emlen,

To postpone the question for the present, for the purpose of re-considering the vote on agreeing to the seventh section?

Which was agreed to.

On the question,

Will the Senate re-consider the vote agreeing to the seventh section?

It was determined in the affirmative.

The question recurring,

Will the Senate agree to the seventh section?

And have concurred in the remaining amendment, viz. striking out the preamble, to the bill No. 181, entitled

"An act to annul the marriage contracts of Nicholas Black and Fanny his wife, William Fleming and Rebecca his wife, and John C. Hale, otherwise John Hill, and Matilda his wife."

And presented an extract from the journal of that house, which was read as follows:

*In the House of Representatives,  
April 2, 1827.*

On motion,

Messrs. Irwin, Scudder, F. Smith, Ellis and Wise, were appointed a committee to confer with a committee of the Senate, on the amendments to the bill from the Senate, No. 83, entitled

"An act abolishing the Middle, Southern and Lancaster districts of the supreme court, and establishing one at Harrisburg."

Laid on the table.

On motion,

Messrs. Seltzer and Hunt were appointed additional members of the committee already appointed on the amendments to bill No. 83, and ordered that the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 86, entitled

"A supplement to the several acts relative to fisheries in the river Delaware."

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Kerlin and Mr. Ogle,

To postpone the question together with the bill for the present.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 253 from the House of Representatives, entitled

"An act further to continue an act to incorporate the subscribers to the bank of Pennsylvania, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.



Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on bill No. 259, from the House of Representatives, entitled

"An act to change the time of meeting of the auditors of Luzerne and Northampton counties."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. King in the chair, on bill No. 254, from the House of Representatives, entitled

"An act authorising the commissioners of Lancaster county to sue in the name and style of 'the commissioners of Lancaster county,' and prescribing that no person, subject to county rates and levies, shall be disqualified for that reason, from being judge, juror or witness in such suit."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Duncan and Mr. Knight,

The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No. 257, entitled

"An act concerning agencies of insurance of companies not authorised by the laws of this state, established within this commonwealth."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ray and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 269, entitled

"An act authorising the governor to incorporate the Shamokin canal company."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Kerlin and Mr. Hawkins,

The Senate resolved itself into a committee of the whole, Mr. Logan in the chair, on bill No. 93, entitled

"A further supplement to the act for the establishment of orphans' courts."

After some time,

The committee rose, and the chairman reported the bill with amendments,

On motion of Mr. Garber and Mr. Seltzer,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 263, from the House of Representatives, entitled

"An act to increase the number of managers in the Huntingdon, Cambria and Indiana turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Knight and Mr. Power,

The Senate again resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 162, entitled

"An act to incorporate the Pennsylvania and Ohio Canal Company."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 9 o'clock, to-morrow morning,

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## TUESDAY, April 3, 1827.

Mr. Power presented the petition and documents of Elizabeth Hunt, one of the heirs of Captain William Hendricks, of Cumberland county, deceased, an officer of the revolution, praying for compensation for a tract of donation land, to which said Hendricks was entitled.

Which were referred to the committee on claims.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 279. "A supplement to the several acts for the inspection of staves and heading."

No. 280. "An act to authorise Joseph M'Cune to erect swinging gates or racks across the south west branch of the Frankstown branch of the river Juniata."

No. 281. "An act to erect the town of Elizabethtown, in the county of Lancaster, into a borough; and supplementary to the acts incorporating the towns of Williamsport and Jersey Shore, and for other purposes."

Said bills were read the first time.

He also returned the bill No. 23, entitled

"An act to lay out a state road from New Geneva, in Fayette county, through Greensburg in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek"

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

Mr. Knight, from the committee on roads, bridges and inland navigation, to whom was committed bill No. 172, from the House of Representatives, entitled

"An act to improve the Norwegian creek in Schuylkill county," reported a bill No. 282, with a similar title.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported bill No. 283, entitled,

"An act relative to laying out state roads."

Said bills were read the first time.

Bill No. 275, from the House of Representatives, entitled

"An act to provide for the further extension of the Pennsylvania Canal,"

Was read the third time, and

On motion of Mr. Knight and Mr. Kerlin, and by unanimous consent, the bill was amended as follows: In the 12th section, by inserting, after the word "at," in the fifteenth line, the words "or near;" in the 15th, by inserting, after the word "sum," in the third line, the words "or sums in the whole," and by inserting, after the word "sum," in the fourth line, the words "or sums."

On the question,

Shall this bill pass?

A motion was made by Mr. Audenried and Mr. Ogle,

To postpone the question for the present, and that the Senate resolve itself into a committee of the whole on said bill, for the

After some time,

The committee rose, and the chairman reported the bill with amendments,

On motion of Mr. Garber and Mr. Seltzer,

The Senate resolved itself into a committee of the whole, Mr. Mann in the chair, on bill No. 263, from the House of Representatives, entitled

"An act to increase the number of managers in the Huntingdon, Cambria and Indiana turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Knight and Mr. Power,

The Senate again resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 162, entitled

"An act to incorporate the Pennsylvania and Ohio Canal Company."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 9 o'clock, to-morrow morning.

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Which were referred to the committee on claims.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 279. "A supplement to the several acts for the inspection of staves and heading."

No. 280. "An act to authorise Joseph M'Cune to erect swinging gates or racks across the south west branch of the Frankstown branch of the river Juniata."

No. 281. "An act to erect the town of Elizabethtown, in the county of Lancaster, into a borough; and supplementary to the acts incorporating the towns of Williamsport and Jersey Shore, and for other purposes."

Said bills were read the first time.

He also returned the bill No. 23, entitled

"An act to lay out a state road from New Geneva, in Fayette county, through Greensburg in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek."

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

Mr. Knight, from the committee on roads, bridges and inland navigation, to whom was committed bill No. 172, from the House of Representatives, entitled

"An act to improve the Norwegian creek in Schuylkill county," reported a bill No. 282, with a similar title.

Mr. Knight, from the committee on roads, bridges and inland navigation, reported bill No. 283, entitled,

"An act relative to laying out state roads."

Said bills were read the first time.

Bill No. 275, from the House of Representatives, entitled

"An act to provide for the further extension of the Pennsylvania Canal,"

Was read the third time, and

On motion of Mr. Knight and Mr. Kerlin, and by unanimous consent, the bill was amended as follows: In the 12th section, by inserting, after the word "at," in the fifteenth line, the words "or near;" in the 15th, by inserting, after the word "sum," in the third line, the words "or sums in the whole," and by inserting, after the word "sum," in the fourth line, the words "or sums."

On the question,

Shall this bill pass?

A motion was made by Mr. Audenried and Mr. Ogle,

To postpone the question for the present, and that the Senate resolve itself into a committee of the whole on said bill, for the

purpose of amending the same so as to confine its provisions to the Juniata route.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Hamilton, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Dunlop, Hambright, Hamilton, Hawkins, Logan,	Messrs. Mann, Ogle, Schall, Seltzer, Sturgeon, Mahon, Speaker, 13.
NAYS.	NAYS.
Messrs. Duncan, Emlen, Garber, Hay, Hunt, Kelley, Kerlin, King, Kitchin, Knight,	Messrs. Leech, Moore, Petrikin, Power, Ray, Ryon, Sullivan, Sutherland, Winter, 12.

So it was determined in the negative.

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Hawkins and Mr. Ogle,  
To postpone the question, together with the bill, until to-morrow.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ryon and Mr. Seltzer, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Hambright, Hamilton, Hawkins, Kitchin, Knight,	Messrs. Logan, Mann, Ogle, Schall, Seltzer, Sturgeon, Mahon, Speaker, 14.

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YAYS.

Messrs. Duncan,  
Dunlop,  
Emlen,  
Garber,  
Hay,  
Hunt,  
Kelley,  
Kerlin,  
King,

NAYS.

Messrs. Leech,  
Moore,  
Petrikin,  
Power,  
Ray,  
Ryon,  
Sullivan,  
Sutherland,  
Winter,

18.

So it was determined in the negative.

The question recurring,

Shall this bill pass?

A motion was made by Mr. Kelley and Mr. Ray, and unanimously agreed to,

To amend the bill, in the fifth section, by striking out of the eighth line, the word "second," and inserting in lieu the word "eighteenth."

The question again recurring,

Shall this bill pass?

A motion was made by Mr. Hawkins and Mr. Ogle,

To postpone the question for the present, and that the Senate resolve itself into a committee of the whole on said bill, for the purpose of striking therefrom the seventh section?

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Hawkins and Mr. Power, and are as follow, viz.

YEAS.

Messrs. Allshouse,  
Audenried,  
Dunlop,  
Hambricht,  
Hamilton,  
Hawkins,  
Knight,

YEAS.

Messrs. Logan,  
Mann,  
Ogle,  
Schall,  
Seltzer,  
Sturgeon,  
Mahon, speaker,

14.

NAYS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hay,  
Hunt,  
Kelley,  
Kerlin,  
King,  
Leech,

NAYS.

Messrs. Moore,  
Petrikin,  
Power,  
Ray,  
Ryon,  
Sullivan,  
Sutherland,  
Winter,

12.

So it was determined in the negative.

The question recurring,  
Shall this bill pass?

The yeas and nays were required by Mr. Mann and Mr. Leech, and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan, Emlen, Garber, Hawkins, Hay, Hunt, Kelley, Kerlin, Knight,	Messrs. Leech, Moore, Petrikin, Power, Ray, Ryon, Sullivan, Sutherland, Winter,
	18.
NAYS.	NAYS.
Messrs. Allshouse, Audenried, Dunlop, Hambright, Hamilton, King,	Messrs. Logan, Mann, Schall, Seltzer, Sturgeon, Mahon, speaker,
	12.

So it was determined in the affirmative.

Ordered, That the clerk return the said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Hawkins and Mr. Seltzer,

The resolution No. 272, entitled

"Resolution relative to the printing of the laws relating to the circuit court system,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Kelley and Mr. Leech,

To amend the same by striking from the end thereof the word "system," and by making the word "court," at the end of the fifth line, read "courts."

Which was agreed to.

A motion was then made by Mr. Hay and Mr. Sutherland,

Further to amend the resolution by adding to the end thereof the following, "and to auctions and auctioneers."

Which was not agreed to.

The title was considered and agreed to, after being amended by making it read

"Resolution relative to the printing of the laws relating to the circuit courts."



On motion of Mr. Hawkins and Mr. Ogle,

The rule which prohibits bills being read twice on the same day being in this case dispensed with, said resolution was read the third time and passed.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

Bill No. 253, from the House of Representatives, entitled

"An act further to continue an act to incorporate the subscribers to the bank of Pennsylvania, and for other purposes,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Kerlin and Mr. Sturgeon,

To postpone the consideration of the bill until to-morrow:

Which was agreed to.

Bills from the House of Representatives, numbered and entitled as follow, were severally read the second time, and ordered to be prepared for the third reading.

No. 259. "An act to change the time of meeting of the auditors of Luzerne and Northampton counties."

No. 258. "An act authorising the commissioners of Lancaster county to sue in the name and style of 'the commissioners of Lancaster county,' and prescribing that no person, subject to county rates and levies, shall be disqualified for that reason, from being judge, juror or witness in such suit."

No. 263. "An act to increase the number of managers in the Huntingdon, Cambria and Indiania turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

Bill No. 93, entitled

"A further supplement to the act for the establishment of orphans' courts,

Was read the second time.

The same being under consideration,

A motion was made by Mr. Kerlin and Mr. Sturgeon,

To postpone the further consideration of the bill for the present.

Which was agreed to.

Bills numbered and entitled as follow, were severally read the second time, and ordered to be transcribed for the third reading:

No. 257. "An act concerning agencies of insurance companies not authorised by the laws of this state, established within this commonwealth."

No. 269. "An act authorising the governor to incorporate the Shamokin Canal Company."

No. 162. "An act to incorporate the Pennsylvania and Ohio Canal Company."

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 262, from the House of Representatives, entitled

"An act to authorize the governor to incorporate a company, for making an artificial road from the borough of Wilkesbarre, in the county of Luzerne, by the way of Solomon's Gap and Mauch Chunk, to the borough of Northampton, in the county of Lehigh."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 271, from the House of Representatives, entitled

"An act to authorize the secretary of the land office to issue patents to Archippus Parrish, John Stanley and others, for certain lands in the county of Susquehanna."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Power in the chair, on bill No. 270, from the House of Representatives, entitled

"An act to incorporate the Oxford railroad company of Chester county."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to-morrow.

Adjourned until 9 o'clock, to-morrow morning.

**WEDNESDAY, April 4, 1827.**

The speaker laid before the Senate a letter from the auditor general, accompanied with a document,  
Which were read as follow:

**AUDITOR GENERAL'S OFFICE.**

*April 3, 1827.*

**SIR—**

I have the honor to transmit to the Senate a statement of the contingent expenses of the auditor general's office, from the 1st of April, 1826, to the 31st of March, 1827, inclusive.

With great respect,

Your obedient servant,

**DAVID MANN.**

*The Hon. Alexander Mahon,*

*Speaker of the Senate.*

*Statement of the contingent expenses of the auditor general's office,  
from the 1st of April, 1826, to the 31st of March, 1827.*

Postage,	\$373 59
Messenger for office,	86 66
Stationary and printing,	84 63
Fuel,	32 25½
Binding books,	2 17½
Miscellaneous,	20 55
	<hr/>
	<b>\$599 84</b>
	<hr/>

Laid on the table.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 284. "A farther supplement to an act entitled an act to authorise the governor to incorporate a company to make a lock navigation on the river Schuylkill."

No. 285. "Resolution relative to the support of the Western penitentiary."

Said bills were read the first time.

He also returned the bill No. 124, entitled

"A supplement to the act entitled an act authorising the governor to incorporate the Conestoga navigation company."

And informed that the House of Representatives have passed the same without amendment.

He also informed that the House of Representatives have concurred in the amendments by the Senate to the bill from the House of Representatives, No. 275, entitled

"An act to provide for the further extension of the Pennsylvania Canal."

And further informed that the House of Representatives have adopted the resolutions from the Senate relative to the final adjournment, with an amendment to the first resolution, viz. by making "tenth" read "seventeenth," in which the concurrence of the Senate is requested.

On motion of Mr. Sturgeon and Mr. Ray,

The amendment to the above resolution was read twice, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Hawkins, from the committee appointed to confer with a similar committee from the House of Representatives, on the disagreement between the two houses on the amendments by the House of Representatives to bill No. 33, entitled

"An act abolishing the Middle, Southern and Lancaster districts of the supreme court, and establishing one at Harrisburg,"

Reported that the committee could not agree."

On motion of Mr. Hawkins and Mr. Seltzer,

The committee was discharged from any further consideration of the subject.

Mr. Mann, from the committee on claims, to whom was referred the petition and documents of George May, reported

That the petitioner states himself to have served a three month's tour in the militia, in the American revolution, under Col. Baltzer Gear; and also another three months tour, under Col. Weaver. Your committee believe it would be unnecessary to detail what the petitioner states himself to have served, inasmuch as they were only in the militia, and nothing but his own oath to prove his services—they believe it inexpedient to grant the prayer of the petitioner, and offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

Laid on the table.

Mr. Sutherland, from the committee on the subject, on leave given, reported two bills, numbered and entitled as follows:

No. 286, An act to incorporate the Pennsylvania association for the mutual comfort and support of its members, and the support and education of their children."

No. 287. "An act changing the name of John Stephen Smith, to Kenderton Smith."

Said bills were read the first time.

On motion of Mr. Hawkins and Mr. Ogle,  
The amendments by the House of Representatives, to bill No. 25, entitled

"An act to lay out a state road from New Geneva, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek,"

Were read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 162. "An act to incorporate the Pennsylvania and Ohio Canal Company."

No. 269. "An act authorising the governor to incorporate the Shamokin Canal Company."

No. 257. "An act concerning agencies of insurance companies not authorised by the laws of this state, established within this commonwealth."

Ordered, That the Clerk present said bills to the House of Representatives for concurrence.

Bills from the House of Representatives numbered and entitled as follow, were severally read the third time and passed.

No. 258. "An act authorising the commissioners of Lancaster county to sue in the name and style of the commissioners of Lancaster county, and prescribing that no person subject to county rates and levies, shall be disqualified, for that reason, from being judge, juror, or witness in such case."

No. 259. "An act to change the time of meeting of the auditors of Luzerne and Northampton counties."

No. 263. "An act to increase the number of managers in the Huntingdon, Cambria and Indiana turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

Ordered, That the Clerk return said bills to the House of Representatives, with information that the Senate have passed the two first without, and the latter with amendments, in which the concurrence of that house is requested.

Bill No. 255, from the House of Representatives, entitled

"An act further to continue an act to incorporate the subscribers to the bank of Pennsylvania, and for other purposes,"

Was read the second time.

The first section being under consideration,

On the question,

Will the Senate agree to the section?

It was determined in the negative.

Bill No. 262, from the House of Representatives, entitled

"An act to authorise the governor to incorporate a company for making an artificial road from the Borough of Wilkesbarre, in the county of Luzerne, by the way of Solomon's Gap and Mauch Chunk, to the borough of Northampton, in the county of Lehigh."

Was read the second time, and

Ordered to be prepared for the third reading.

Bill No. 271, from the House of Representatives, entitled

"An act authorising the secretary of the land office to issue patents to Archippus Parrish, John Stanley and others, for certain lands in the county of Susquehanna,"

Was read the second time,

The same being under consideration,

A motion was made by Mr Ryon and Mr. Ray,

To postpone the further consideration of the bill for the present.

Which was agreed to.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Power in the chair, on bill No. 270 from the House of Representatives, entitled

"An act to incorporate the Oxford rail road company of Chester county."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 250, entitled

"An act to authorise the Baltimore and Ohio rail road company to construct a rail road through Pennsylvania, in a direction to the Ohio river."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee of the whole to sit again.

A motion was made by Mr. Emlen and Mr. Ogle,

That the committee of the whole have leave to sit again on Wednesday the 18th inst.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Knight and Mr. Sullivan, and are as follow, viz.

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YEAS	YEAS
Messrs. Duncan, Emlen, Garber, Hay, Hunt, Kerlin, King,	Messrs. Moore, Ogle, Ray, Byon, Sutherland, Winter, Mahon, speaker. 14.
NAYS.	NAYS.
Messrs. Allshouse, Audenried, Hambright, Hamilton, Hawkins, Herbert, Kelley, Knight, Leech,	Messrs. Logan, Mann, Petrikín, Power, Schall, Seltzer, Sturgeon, Sullivan, 15.

So it was determined in the negative.

The committee of the whole obtained leave to sit again on Wednesday the 11th instant.

Adjourned until 9 o'clock, to-morrow morning.

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THURSDAY, April 5, 1827.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the governor for his approbation, the bills numbered and entitled as follow, to wit:

No. 23. "An act to lay out a state road from New Geneva, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek."

No. 97. "An act supplementary to an act for building a bridge over the river Schuylkill, opposite Norristown, in the county of Montgomery."

No. 124. "A supplement to the act entitled an act incorporating the Conestoga navigation company."

No. 153. An act relative to the Eastern and Western Penitentiaries."

No. 227. "A supplement to the act entitled an act authorizing the governor to incorporate the Susquehanna and Lehigh canal company."

No. 275. "An act to provide for the further extension of the Pennsylvania Canal."

Laid on the table.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of John Smith, reported:

That the petitioner states he enlisted in the month of April, 1776, and served a tour under captain Robb, 13th regiment, commanded by colonel Walter Stuart, and was honorably discharged the 1st day of January, 1778—that he also states he was in several battles, and that he is now 77 years of age, and unable to earn a living by labor, and prays relief.

Your committee, after a careful examination of the petition and documents referred to them, are of the opinion the prayer of the petitioner ought not to be granted; notwithstanding he has produced his discharge, after twenty months service under colonel Walter Stuart; but inasmuch as no proof appears of his poverty, to corroborate his own statement, which has always been considered necessary to the granting of pensions. They therefore offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Leech,

The resolution attached to the above report was read the second time, considered, and adopted.

Mr. Mann, from the committee on claims, reported bill No. 288, entitled,

"An act for the relief of John Barlet, a soldier of the revolution."

Mr. Sullivan read in his place, and on leave given presented to the chair, bill No. 289, entitled

"An act to change the style of the charter of the German congregation of Zelinople and Harmony, in Butler county."

Said bills were read the first time.



Bill No. 262, from the House of Representatives, entitled

"An act to authorise the governor to incorporate a company for making an artificial road from the borough of Wilkes-barre, in the county of Luzerne, by the way of Solomon's Gap and Mauch Chunk, to the borough of Northampton, in the county of Lehigh,"

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

Bill No. 270, from the House of Representatives, entitled

"An act to incorporate the Oxford rail road company of Chester county,"

Was read the second time, and

Ordered, To be prepared for the third reading.

A motion was made by Mr. Sturgeon and Mr. Garber,

That the Senate recede from their amendments, non-concurred in by the House of Representatives, to the bill No. 13, from the House of Representatives, entitled

"An act to annul the marriage contracts of Nicholas Black and Fanny his wife, John Fleming and Rebecca his wife, and John C. Hale, otherwise John Hill, and Matilda his wife."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Kelley and Mr. Schall, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Garber,		Messrs. Petrikin,	
Hambright,		Ryon,	
Hamilton,		Seltzer,	
Hawkins,		Sturgeon,	
Herbert,		Sullivan,	
King,		Sutherland,	
Laech,		Winter,	
Logan,		Mahon, Speaker,	16.
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Kerlin,	
Dunlop,		Knight,	
Emlen,		Mann,	
Hay,		Moore,	
Hunt,		Ogle,	
Kelley,		Ray,	12.

So it was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz:

No. 290. "An act for the relief of William Arnold, late a supervisor of Luzerne township, in the county of Fayette, and for other purposes."

No. 291. "An act to incorporate the stockholders of the Philadelphia Arcade."

No. 292. An act to incorporate the Philadelphia rail way dock company."

No. 293. "An act authorising the reviewing and laying out certain state roads, and for other purposes."

Said bills were read the first time.

And informed that the House of Representatives have concurred in the amendments by the Senate to the Bill No. 263, entitled

"An act to increase the number of managers in the Huntingdon, Cambria and Indiana turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

Laid on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Petrikin in the chair, on bill No. 280, from the House of Representatives, entitled

"An act to authorise Joseph W'Cune to erect swinging gates or racks across the south west branch of the Frankstown branch of the river Juniata."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ray in the chair, on bill No. 252, from the House of Representatives, entitled

"An act to establish a bank in the county of Lebanon."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ryon in the chair, on bill No. 274, entitled

"An act authorising the executors of Peter Blecker, deceased, to sell and convey certain real estate."

After some time,

The committee rose, and the chairman reported the bill with amendments.

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On motion of Mr. Sutherland and Mr. Hay,

Said bill was read the second time, and

On motion of Mr. Sutherland and Mr. Ogle,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed, and

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Seltzer in the chair, on bill No. 284, from the House of Representatives, entitled

"A further supplement to an act entitled an act to authorise the governor to incorporate a company to make a lock navigation on the river Schuylkill."

After some time,

The committee rose and the chairman reported the bill without amendment.

On motion of Mr. Sutherland and Mr. Seltzer,

Said bill was read the second time, and

On motion of Mr. Hawkins and Mr. Sutherland,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

On motion of Mr. Seltzer and Mr. Ray,

The Senate resolved itself into a committee of the whole, Mr. Schall in the chair, on bill No. 260, from the House of Representatives, entitled

"An act to authorise the commissioners of Dauphin county, to establish a public school in the borough of Harrisburg, on the Lancasterian system."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Petrikin and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Sturgeon in the chair, on bill No. 267, from the House of Representatives, entitled

"A supplement to the act entitled an act authorising the governor to incorporate the Milesburg and Smethport turnpike road company, and to revive and continue in force and amend an act entitled an act to authorise the governor to incorporate the



**FRIDAY, April 6, 1827.**

Mr. Hamilton presented the remonstrance of sundry citizens of the eighteenth election district, in Lancaster county, against erecting a new election district out of part of said district.

Laid on the table.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of Margaret Somerlot, reported:

That the petitioner states herself to be the widow of William Somerlot, a soldier of the revolution, that her late husband enlisted in the year 1779, in the Pennsylvania line, but does not recollect the name of the captain, but believes the colonel's name was Głowach, under the command of General Polaskie; that he served from the time of his enlistment until the end of the war, and was honorably discharged, and that she is poor and greatly needs the assistance of her country.

In deciding upon this claim, your committee have bestowed all the attention they conceive the nature of the case requires, and have come to the conclusion that the prayer of the petitioner ought not to be granted; inasmuch, as Polaskie's regiment belonged to the United States or continental establishment, and not to the Pennsylvania line. They therefore offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Ray,

The resolution attached to the above report was read the second time, considered, and adopted.

Mr. Winter from the committee on election districts, reported bill No. 294, entitled

“An act regulating election districts.”

Mr. Hawkins read in his place, and on leave given, presented to the chair, bill No. 295, entitled

“An act relative to a certain deed executed by Reuben Sayers and Henry Lase, of Greene county.”

Mr. Ray read in his place, and on leave given, presented to the chair, bill No. 296, entitled

“A supplement to the act entitled an act securing to mechanics and others, payment for their labour and materials in erecting any house or other building within the city and county of Philadelphia.”

Mr. Sutherland read in his place, and on leave given, presented to the chair, bill No. 297 entitled

"An act concerning the assessment of property within this commonwealth."

Said bills were read the first time.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz:

No. 298. "An act authorizing a lottery for the payment of the debts due by turnpike companies in which the state holds a stock."

No. 299. "An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war."

No. 300. "An act for the relief of Nathaniel Patterson, inspector of the first brigade, fifteenth division, Pennsylvania militia; and for the relief of Nathaniel W. Sample, junior, inspector of the second brigade, fourth division, Pennsylvania militia."

No. 301. "An act appropriating a sum of money to open a state road through part of Fayette county."

No. 302. "An act to lay out and improve a road on the east side of the Susquehanna river, from the borough of Sunbury, through Georgetown, to Rogers' Ferry, and for other purposes."

No. 303. "An act granting a sum of money in aid of opening and improving a certain state road therein mentioned."

No. 304. "An act regulating election districts and for other purposes."

Said bills were read the first time.

And returned the resolution,

No. 279. "Relative to the printing of the laws relating to the circuit courts."

And informed that the House of Representatives have adopted the same without amendment.

Laid on the table.

Bill No. 270, from the House of Representatives, entitled

"An act to incorporate the Oxford rail road company of Chester county,"

Was read the third time.

The same being under consideration,

A motion was made by Mr. Hunt and Mr. Kerlin, and unanimously agreed to,

To amend the bill in the sixth section, by striking out of the sixteenth line, the word "such," and inserting in lieu the word "liable."

On the question,

Shall this bill pass?

It was determined in the affirmative.

Bill No. 266, from the House of Representatives, entitled  
 "A supplement to the act, entitled an act to authorize the governor to incorporate two companies to make an artificial road from Potter's Old Fort, in Centre county, to the Juniata turnpike road, at any point between the Yellow Springs and Water street, in Huntingdon county."

Was read the third time and passed.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the first with and the latter without amendment, in which the concurrence of that house is requested.

Bill No. 248, entitled

"An act to incorporate the Female Hospitable Society."

Was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Ogle and Mr. Logan,

The Senate resumed the second reading and consideration of bill No. 65, entitled

"An act for the relief and comfort of the poor."

The question recurring,

Will the Senate agree to the first section as amended?

A motion was made by Mr. Ogle and Mr. Logan,

To amend the same, by striking out all that follows the enacting clause, and inserting in lieu the following: "That from and after the first day of July next, the following articles, in addition to those heretofore reserved, of any debtor or his family, shall be absolutely exempted from all levy, execution, distress or other legal process whatever, which may be issued for any debt contracted after the day aforesaid, that is to say one ton of hay, four cords of wood, two swine and their necessary feed or meat, ten bushels of potatoes, six bushels of grain or the meal made therefrom, the wool of six sheep or the cloth made therefrom, six pounds of flax or the linen made therefrom, and the bible."

Which was not agreed to.

The question recurring,

Will the Senate agree to the first section, as amended?

A motion was made by Messrs. Audenried and Schall,

To postpone the question, and that the bill be recommended to the early attention of the next legislature.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle and Mr. Sutherland, and are as follows, viz:

## YEAS.

Messrs. Anderson,  
Dunaway,  
Emlen,  
Hawkins,  
Hunt,  
Kerlin,  
King,  
Leach,

## NAYS.

Messrs. Mann,  
Moore,  
Petrikin,  
Ray,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan, 16

## YEAS.

Messrs. Allshouse,  
Garber,  
Hambright,  
Hamilton,  
Hay,  
Herbert,  
Kelley,  
Knight,

## NAYS.

Messrs. Logan,  
Ogle,  
Power,  
Ryon,  
Sutherland,  
Winter,  
Mahon, Speaker, 15

So it was determined in the affirmative.

Bill No. 280, from the House of Representatives, entitled

"An act to authorise Joseph M'Cune to erect swinging gates or racks across the south west branch of the Frankstown branch of the river Juniata."

Was read the second time, and

On motion of Mr. Garber and Mr. Sturgeon,

The rule which prohibits bills being read twice on the same day being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

Bill No. 259, from the House of Representatives, entitled

"An act to establish a bank in the county of Lebanon,"

Was read the second time.

The sections were severally considered and agreed to.

The title being under consideration.

A motion was made by Mr. Seltzer and Mr. Schall,

To postpone the title, for the purpose of introducing the following, to be called section 4:

And be it further enacted by the authority aforesaid, That so much of the second article of the third section of the act entitled, An act to re-charter certain banks, passed on the 25th day of March, 1824, as provides that no person shall be eligible as a direc-



tor for more than three years out of four, and not more than three-fourths of the directors shall be eligible to be re-elected in the succeeding year, be and the same is hereby repealed, as far as regards this act.

Which was agreed to.

The manuscript section was then considered and agreed to.

The title being again under consideration,

A motion was made by Mr. Enlen and Mr. Kerlin,

To postpone the title, for the purpose of introducing the following, to be called section 5.

And be it further enacted by the authority aforesaid, That no bank incorporated by this commonwealth shall issue, or re-issue any notes of a lower denomination than five dollars, in virtue of any construction that may be given to any act extending the charter of such bank, nor shall any such bank receive any such notes of banks not authorised by the laws of this state.

Which was agreed to.

The manuscript section was then considered and agreed to.

The title was then agreed to, after being amended, by adding thereto these words: "and for other purposes."

Ordered, That said bill be prepared for the third reading.

Bill No. 260, from the House of Representatives, entitled

"An act to authorise the commissioners of Dauphin county, to establish a public school in the borough of Harrisburg, on the Lancasterian system,"

Was read the second time, and

Ordered, To be prepared for the third reading.

Bill No. 267, from the House of Representatives, entitled

"A supplement to the act entitled an act authorising the governor to incorporate the Milesburg and Smethport turnpike road company, and to revive and continue in force and amend an act entitled an act to authorise the governor to incorporate the president and managers and company of the Mount Pleasant turnpike road of Wayne county,"

Was read the second time.

The same being under consideration,

On the question,

Will the Senate agree to the first section?

The yeas and nays were required by Mr. Hawkins and Mr. Hunt, and are as follow, viz:

**YEAS.**  
Messrs. Dungan,  
Hambright,  
Hamilton,  
Herbert,  
Logan,  
Ogle,  
Petrikin,

**NAYS.**

Messrs. Allshouse,  
Audefried,  
Emlen,  
Hawkins,  
Hay,  
Hunt,  
Kelley,  
Kerlin,

**YEAS.**  
Messrs. Power,  
Ray,  
Byon,  
Schall,  
Sutherland,  
Winter,  
Mahon, Speaker, 14

**NAYS.**

Messrs. Knight,  
Leech,  
Mann,  
Moore,  
Beltzer,  
Sturgeon,  
Sullivan, 12

So it was determined in the negative.

The second, now first section, being under consideration,

A motion was made by Mr. Knight and Mr. Sullivan,

To postpone the section for the present, for the purpose of introducing the following to be called section 1, viz.

Be it enacted by the Senate and the House of Representatives of the commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of six thousand dollars be and the same is hereby appropriated to aid in opening and improving the state road laid out in virtue of an act of the last session, between Pittsburg and the Virginia line, in the direction to Morgantown, to be paid by the state treasurer, on warrants drawn by the governor, in three parts in favor of the commissioners hereinafter named, to wit: \$2,000 for that part of the said road in Allegheny county; \$2,000 for the part in Washington county, and \$2,000 for the part in Greene county. And James Patterson, William Walsh and Samuel Black are hereby appointed commissioners, respectively, each to act separately, in his respective county, and to expend the sum allotted to his county as aforesaid, to the best advantage to the public, and with proper regard to the burthen which would otherwise fall on the respective townships in the said counties, in proportion to their ability respectively. The said commissioners to give bonds respectively, to the commonwealth, conditioned for the faithful application of the moneys coming into his hands, as aforesaid, and to be bound by oath or affirmation to discharge his said duties faithfully. And the accounts of each of the said commissioners or their successors, if new appointments should be made, which the courts of quarter sessions of the proper county are required to make, in case of vacancy, are to be settled and adjusted by the county commissioners of the proper county, both as respects their own services and

the expenditures of the public moneys herein appropriated; and each of the commissioners herein appointed or provided to be appointed, shall receive one dollar and fifty cents per day, for the time necessarily spent by him in the discharge of the duties herein required of him, to be paid out of the stock of the proper county, by warrants drawn by the county commissioners on the treasurer in the usual manner; the said accounts to be settled on or before the first day of January next.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Knight and Mr. Power, and are as follow, viz:

YEAS.

YEAS.

Messrs. Anderson,  
Hawkins,  
Knight,  
Power,  
Schall,

Messrs. Sturgeon,  
Sullivan,  
Sutherland,  
Mahon, Speaker, 9.

NAYES.

NAYES.

Messrs. Allshouse,  
Duncan,  
Emple,  
Garber,  
Hambright,  
Hamilton,  
Hay,  
Herbert,  
Hunt,  
Kelley,

Messrs. Kerlin,  
King,  
Leech,  
Logan,  
Mann,  
Moore,  
Pettkin,  
Ray,  
Ryon,  
Winter, 10.

So it was determined in the negative.

The second, now first section, being again under consideration.

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Hawkins and Mr. Hunt, and are as follow, viz:

YEAS.

YEAS.

Messrs. Anderson,  
Duncan,  
Hambright,  
Hamilton,  
Herbert,  
Logan,  
Ogle,

Messrs. Rettkin,  
Power,  
Schall,  
Seltman,  
Sutherland,  
Winter,  
Mahon, Speaker, 14.

AYES.  
Messrs. Allshouse,  
Emlen,  
Garber,  
Hawkins,  
Hay,  
Hunt,  
Kelley,  
Kerlin,  
King,

NAYS.  
Messrs. Knight,  
Leech,  
Mann,  
Moore,  
Ray,  
Ryon,  
Sturgeon,  
Sullivan,

17.

So it was determined in the negative.

The third, now first section, was then agreed to.

The title was agreed to, after being amended, so as to make it read "An act to revive and continue in force and amend an act entitled an act to authorise the governor to incorporate the president and managers and company of the Mount Pleasant turnpike road of Wayne county."

Ordered, That said bill be prepared for the third reading.

On motion of Mr. Ryon and Mr. Mann,

The Senate resumed the second reading and consideration of the bill No. 271, from the House of Representatives entitled

"An act authorising the secretary of the land office to issue patents to Archippus Parrish, John Stanley and others, for certain lands in the county of Susquehanna."

The same being again under consideration,

A motion was made by Mr. Ryon and Mr. Mann,

To amend the section, by striking therefrom all that follows the enacting clause and inserting in lieu the following: "That it shall be lawful for the secretary of the land office to issue warrants of acceptance, and patents upon the payment of the usual fees to John Stanley, Jason Wiswell, Amos Tiffany, Dexter Stanley, Wells Stanley, Agnus M'Millin, Laughlin M'Intosh, Alexander M'Farlane and John Graham, respectively, or to their legal representatives, for nine several lots or tracts of land in Susquehanna county, on which they, or the persons under whom they claim, have made improvements and settlements, on or before the first day of April one thousand eight hundred and thirteen, being parts of a tract of land granted by a proprietary warrant, dated the twentieth day of August, one thousand seven hundred and seventy four, to Andrew Allen, but now the property of this commonwealth, upon their procuring surveys of their respective allotments to be made and returned by the proper deputy into the surveyor general's office, and making satisfactory proof of such settlements, and the continuance thereof to the secretary of the land office.

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Duncan and Mr. Garber.

To amend the amendment, by adding thereto the following proviso, viz.

Provided nevertheless. That the granting of the said patents shall not affect, in any way, the rights of any other person or persons, nor any judgment, mortgage, or other incumbrance given by the said patentees, or the persons under whom they claim; but all such rights, liens or incumbrances, shall be as if this law had not passed; and also, that their said surveys do not embrace or interfere with any lands claimed by or under the corporation for the relief of poor distressed presbyterian ministers, and of the poor and distressed widows and children of presbyterian ministers.

On the question,

Will the Senate agree so to amend the amendment?

A motion was made by Mr. Herbert and Mr. Duncan,

To postpone the question, and that the bill, together with the proposed amendments, be committed to the committee on the judiciary system.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ryon and Mr. Power, and are as follow, viz.

## YEAS.

Messrs. Allshouse,  
Duncan,  
Emlen,  
Garber,  
Hawkins,  
Herbert,  
Hunt,  
Kelley,  
Kerlin,

## NAYS.

Messrs. Audenried,  
Hambricht,  
Hamilton,  
Hay,  
Mann,  
Moore,  
Ogle,

## YEAS.

Messrs. King,  
Knight,  
Leech,  
Logan,  
Seltzer,  
Sturgeon,  
Sullivan,  
Winter,  
Mahon, speaker, 18.

## NAYS.

Messrs. Petrikin,  
Power,  
Ray,  
Ryon,  
Schall,  
Sutherland, 15.

So it was determined in the affirmative.

On motion of Mr. Ogle and Mr. Hay,

Bill No. 299, from the House of Representatives, entitled  
"An act for the relief of sundry soldiers, and widows of soldiers  
of the revolutionary war,"

Was committed to the committee on claims.

On motion of Mr. Sutherland and Mr. Logan,

The rule for going into a committee of the whole, being in this  
case dispensed with,

Bill No. 289, entitled

"An act to change the style of the charter of the German con-  
gregation of Zelienople and Harmony, in Butler county."

Was read the second time, and

On motion of Mr. Sutherland and Mr. Sullivan,

The rule which prohibits bills being read twice on the same  
day, being in this case dispensed with, said bill was read the third  
time and passed.

Ordered, That the Clerk present said bill to the House of Re-  
presentatives for concurrence.

Agreeably to order,

The Senate resolved itself into a committee of the whole,  
Mr. Allshouse in the chair, on bill No. 286, entitled

"An act to incorporate the Pennsylvania association for the  
mutual comfort and support of its members, and the support and  
education of their children."

After some time,

The committee rose, and the chairman reported the bill with  
amendments.

On motion of Mr. Sutherland and Mr. Audenried,

Said bill was read the second time, and

Ordered to be transcribed for the third reading.

On motion of Mr. Sutherland and Mr. Ogle,

The rule for going into a committee of the whole, being in this  
case dispensed with,

Bill No. 287, entitled

"An act changing the name of John Stephens Smith to Kender-  
ton Smith,"

Was read the second time, and

On motion of Mr. Sutherland and Mr. Logan,

The rule which prohibits bills being read twice on the same  
day, being in this case dispensed with, said bill was read the  
third time and passed.

Ordered, That the Clerk present said bill to the House of Re-  
presentatives for concurrence.

Agreeably to order.

The Senate resolved itself into a committee of the whole, Mr. Sutherland in the chair, on bill No 295, entitled

"An act relative to a certain deed executed by Reuben Sayers, to Henry Luse, of Greene county."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the negative.

On motion of Mr. Ogle and Mr. Knight;

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 283, entitled

"An act relative to laying out state roads."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Ogle and Mr. Garber,

Said bill was read the second time, and

Ordered to be transcribed for the third reading.

On motion of Mr. Ray and Mr. Seltzer,

The Senate resolved itself into a committee of the whole, Mr. Duncan in the chair, on bill No. 296, entitled

"A supplement to the act entitled an act securing to mechanics and others, payment for their labour and materials in erecting any house or other building within the city and county of Philadelphia."

After some time,

The committee rose and the chairman reported the bill without amendment.

On motion of Mr. Ogle and Mr. Ray,

Said bill was read the second time, and

Ordered, To be transcribed for the third reading.

On motion of Mr. Ryon and Mr. Ray,

The Senate again resolved itself into a committee of the whole, Mr. Hambright in the chair, on bill No. 47, entitled

"A supplement to an act entitled an act authorising the governor to incorporate the Lackawanna and Susquehanna rail road company."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Ryon and Mr. Moore,  
Said bill was read the second time, and  
Ordered to be transcribed for the third reading.

On motion of Mr. Kerlin and Mr. Emlen,  
The Senate resolved itself into a committee of the whole, Mr.  
Garber in the chair, on bill No. 123, entitled

"An act prescribing the fees of the superintendent of the powder magazine, in the county of Philadelphia."

After some time,  
The committee rose, and the chairman reported the bill with amendments.

Mr. Kelley, at this time, read in his place, and on leave given, presented to the chair, bill No. 305, entitled

"A further supplement to the act entitled an act to alter the judiciary system of this commonwealth."

Mr. Power, at this time, read in his place, and on leave given, presented to the chair, bill No. 306, entitled

An act for the relief of William Blair and William Lecky, administrators of Joseph Arthurs, deceased, and the sureties of Samuel Mann, late collector of taxes in the city of Pittsburg."

Said bills were read the first time.

Adjourned until 9 o'clock, to-morrow morning.

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## SATURDAY, April 7, 1827.

Mr. Winter obtained leave of absence from Tuesday next, to the end of the session.

Mr. Hambright presented the petition and documents of George Eichelberger, of Dauphin county, a soldier of the revolution, praying for relief.

Which were referred to the committee on claims.

Mr. Herbert, presented the petition of Nathan Vanfossen, of Perry county, guardian of an illegitimate child of Mary Ogle, deceased, praying for authority to receive from the administrators of



the said Mary Ogle, certain money therein mentioned, for the purpose of educating and supporting the said child.

Which was laid on the table.

The Secretary of the commonwealth being introduced, presented a message, accompanied with a document, from the governor, which were read as follow, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have the honor to transmit to you copies of a preamble and resolutions, passed by the legislature of the state of Maine, on the subject of internal improvement by the government of the United States.

J. ANDW. SHULZE.

*Harrisburg, April 7, 1827.*

## STATE OF MAINE.

EXECUTIVE DEPARTMENT,  
*Portland, March 17th, 1827.*

SIR—The enclosed preamble and resolutions, passed by the two houses of the legislature of this state, are transmitted in compliance with the request therein contained.

I have the honor to be, sir,

Very respectfully,

Your most obedient servant,

KNOCH LINCOLN.

*His Excellency the Governor  
of the State of Pennsylvania—Harrisburg.*

## STATE OF MAINE.

HOUSE OF REPRESENTATIVES,  
*February 8th, 1827.*

The committee to whom was referred so much of the Governor's communication, at the commencement of the session, as relates to the subject of internal improvement, and a system for a proportional distribution of the surplus funds of the United States, to promote internal improvement have had that subject under consideration, and ask leave to REPORT:

That they are aware that much diversity of opinion exists as to the constitutional power of the government of the United States to appropriate money for the purposes of internal improvement. It is said that no idea was entertained, either by the advocates or opposers of the constitution, at the time when it was formed and adopted, that any such power was granted to the general government. The general idea then was, that that was a government for

exterior and foreign affairs, and for objects purely national, but that all subjects of exclusive internal interest and domestic concern were left to the care of the states. In the animated discussion which that instrument produced in every state of the Union, it is scarcely possible that a grant of power so important and extensive in all its bearings should have escaped animadversion, if it was actually contained in it, or was intended so to be. But we do not propose to enter into an argument on the constitutional question.

We have looked at it only in a practical point of view. It is well known, that the revenue of the United States, derived from imposts and the sale of the public domain, is much more than enough to cover all the ordinary expenses of the government, exclusive of the charge on those funds, for paying off the public debt. By the existing laws \$10,000,000 are annually applied for this purpose. By the operation of the sinking fund, about one-half of the debt has been paid since the conclusion of the last war; and it is calculated that the whole will be extinguished in about seven years more. If our income is not then diminished, and we believe that it will not be, and our current expenditure is not increased, and it is thought that it need not be, there will be an annual surplus of about \$10,000,000, which may be appropriated to works of public improvements or to the purposes of education. How this may be disposed of, so as to produce the greatest public good, is a question worthy of great consideration. So far as opinions have been expressed on the subject, there seems to be an united sentiment that it ought to be appropriated to promote the internal improvement of the country, by constructing roads and canals, and improving navigable water courses, &c. or to aid in the work of the general education of the people, by contributing to the support of schools, or to both these objects jointly. If the surplus revenue of the United States is to take this direction, under what management should it be expended? Two modes have been suggested. First, for the general government to direct the expenditure on such works of national utility as they shall think advisable, reserving to themselves exclusively the selection of the objects, the employment of the agents, and the sole direction of the works of improvement within the territorial jurisdiction of the several states. The second is, to distribute the funds to the several states, in just and equitable proportions, and to leave the expenditure to the judgment and discretion of the state government, under a general restriction that it shall be exclusively appropriated to works of internal improvement and to education.

Your committee, after mature deliberation, have come to a decided opinion that the latter mode is preferable, and if the legislature shall concur with them in their views, they think there is a propriety in their publicly expressing such opinion. The objections to the first mode we believe are many and strong.

The first relates to economy. The distance of the seat of the general government from the remote parts of the Union, is such, that its officers cannot have that constant oversight of its agents employed in the expenditure which is indispensably necessary to

exercise over them an efficient and useful control. Under such circumstances, the expenses will always be great in proportion to the work accomplished. With a lavish expenditure, the work advances slowly and the agents grow rich. Such are the lessons of common experience in private life, where the principal is at such a distance from the agent, that he cannot oversee and give him direction in the detail of his business. That the public will find it so, we believe none can doubt.

But there are solid and weighty objections to this mode, of a different character. These roads and canals are to be constructed within the territorial limits of the several states. We do not advert in this, to the apparent violation of the state sovereignty; we look only to the practical side of the question. The United States government, may, perhaps, think a canal of public utility, which the state might think peculiarly injurious to itself. It might be such an one as might be beneficial to a neighbouring state, but injurious in a high degree, to the state within which it was made, by diverting from it its accustomed trade. It is unnecessary to enlarge on the unpleasant consequences which might, and probably would grow out of such cases, the heart-burnings and jealousies between neighbouring states, and the discord between the general government and those of the individual states.

The dangerous uses to which the exercise of such a power by the United States government may hereafter be applied, constitutes another objection. It will usually be an object with each of the states to have as large a portion of the public money expended within its limits as can be obtained. Yet the government may withhold the whole from any particular state which they choose. Thus one state may be enriched by a great and disproportionate expenditure within its limits, as a reward for its faithful attachment to the men in power, while every thing may be refused to another which contributes double the amount to the public treasury. The extent to which this may be carried, for the purpose of punishing opposition, or rewarding a blind subserviency to an existing administration, of purchasing support to a corrupt or pernicious system of government, by buying the people with their own money, may easily be seen, and need not be more than hinted at by your committee. Nothing can be more dangerous to the purity and stability of our political institutions.

The unlimited and overwhelming influence which this gives to the general government, in the employment at the public expense, of a vast number of persons in any state which they please, is another objection to this system. This influence, systematically managed for such a purpose, may be carried so far, as in no distant time, substantially to annihilate the state governments, and lead to a practical consolidation of all power in the government of the Union. The state governments are, we believe, in our system, the great bulwark of liberty; when they are shorn of their honors, and crippled in their authority, and the mass of political power is absorbed in the great central government, the forms of liberty may remain, but the substance will be gone.

It cannot have escaped general observation, that hitherto in the administration of the ordinary powers of government, the influence of the general government has been on the increase, and that of the individual states on the decrease. The augmentation of the influence of the general government to so great an extent as it must be under the system that is proposed, would go far to destroy entirely that balance of power, between the United States and the individual states, which constitutes the great excellence of our political system.

Another objection is the dangerous and improper combinations, which the system may lead to in the legislative department of the government. The members of different parts of the country, may unite together for the purpose of appropriating the whole, or an undue proportion of the public funds to those sections of country which they represent, to the exclusion of the rest. A little more than one half combining in this manner, may monopolize the whole disposable revenue of the country, and covering their own selfish purposes with pretence of the public good, swallow up millions of the public money, for the private benefit of, comparatively, a small number of individuals.

These views might easily be extended and amplified, and other arguments of not less cogency urged; but, without saying more, the committee feel constrained to conclude, that it is highly inexpedient for the government of the United States to adopt a system of internal improvements, to be carried into execution within the limits of the several states, under the exclusive agency and direction of that government.

If the surplus funds of the United States are to be appropriated to these purposes, we think in every point of view in which the subject can be presented, the best mode will be to distribute these funds among the states, in proportion to their population, subject to the condition that they shall be exclusively appropriated by the state governments, to the purposes of internal improvement and general education. It is obvious that, so far as they are made tributary to education, the expenditures must be under the direction of the last governments; and, so far as they go to the objects of internal improvement, under such directions, we believe that they will be more wisely, and more beneficially, as well as economically expended for the public. The local governments can best understand the wants of their own state, they have a deeper interest in the improvement to be made, can more effectually direct the expenditures to objects of the greatest utility, and by an immediate oversight of the work, are able with the greatest efficiency to control extravagance and prevent a waste of the public money.

With these views, the committee submit the following resolves.

Per order—DANIEL GOODENOW.

*Resolved*, That if it shall be the determination of the government of the United States to appropriate a part of its revenue to the purposes of internal improvement, in the construction of roads and canals, and in improving the navigation of rivers, and in pro-

noting education, it is the opinion of this legislature, that the funds designed for these objects ought to be distributed among the several states, in proportion to their population, to be expended under the authority of their respective legislatures.

*Resolved*, That the secretary of state be, and hereby is directed to transmit a copy of these resolves with the preamble, to each of the senators and representatives in congress, from this state.

*Resolved*, That the governor be, and hereby is requested to transmit a copy of these resolves with the preamble, to the executive of each of the other states in this Union.

*House of Representatives, February 13, 1827.*

Read and passed—Sent up for concurrence.

JOHN RUGGLES, *Speaker*.

*In Senate, February 21, 1827.*

Read and passed, in concurrence with the house.

ROBERT P. DUNLAP, *President*.

## STATE OF MAINE.

SECRETARY OF STATE'S OFFICE,

*Portland, 10th March, 1827.*

I hereby certify, that the foregoing is a true copy of the original deposited in this office.

Attest—

A. NICHOLS, *Secretary of State*.

Laid on the table.

Mr. Mann, from the committee on claims, to whom were referred the petition and documents of John Datamar, reported:

That having carefully examined the petition and accompanying documents, believe that it would be departing from the line heretofore adhered to by the legislature, in affording relief to the surviving soldiers of the revolution, to grant the prayer of the petitioner, inasmuch as the service performed in his case amounts only to six months in the flying camp, without performing any extraordinary service to the cause, or suffering any other hardship or privation than fell to the lot of the most favored soldier in those trying times. Your committee therefore recommend the adoption of the following resolution:

*Resolved*, That the committee be discharged from any further consideration of the subject, and that the petitioner have liberty to withdraw his petition and documents.

On motion of Mr. Mann and Mr. Ray,

The resolution attached to the above report was read the second time, considered and adopted.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, to wit:

No. 258. "An act authorising the commissioners of Lancaster county to sue in the name and style of 'the commissioners of Lancaster county,' and prescribing that no person, subject to county rates and levies, shall be disqualified for that reason, from being judge, juror or witness in such suit."

No. 259. "An act to change the time of meeting of the auditors of Luzerne and Northampton counties."

No. 262. "An act to authorise the governor to incorporate a company for making an artificial road from the borough of Wilkesbarre, in the county of Luzerne, by the way of Solomon's Gap and Mauch Chunk, to the borough of Northampton, in the county of Lehigh,"

No. 263. "An act to increase the number of managers in the Huntingdon, Cambria and Indiana turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

No. 131. "An act to annul the marriage contracts of Nicholas Black and Fanny his wife, John W. Shinn and Margaret Ann his wife, John Fleming and Rebecca his wife, and John C. Hale, otherwise John Hill, and Matilda his wife."

No. 266. "A supplement to the act entitled an act to authorise the governor to incorporate two companies to make an artificial road from Potter's Old Fort, in Centre county, to the Juniata turnpike road, at any point between the Yellow Springs and Water street, in Huntingdon county."

No. 272. "Resolution relative to the printing of the laws relating to the circuit courts."

No. 280. "An act to authorise Joseph M'Cune to erect swinging gates or racks across the south west branch of the Frankstown branch of the river Juniata."

No. 284. "A further supplement to an act entitled an act to authorise the governor to incorporate a company to make a lock navigation on the river Schuylkill."

Laid on the table.

Mr. King read in his place, and on leave given, presented to the chair, bill No. 307, entitled

"A further supplement to an act entitled an act to appoint a board of canal commissioners."

Mr. Herbert read in his place, and on leave given, presented to the chair, bill No. 308, entitled

"An act vesting in Rachael Van Fossen, the illegitimate child of Mary Ogle, deceased, the estate of said deceased."

Mr. Sutherland read in his place, and on leave given, presented to the chair, bill No. 309 entitled

"A supplement to an act entitled an act to alter and amend the fee bill."

Mr. Kelley read in his place, and on leave given, presented to the chair bill No. 310, entitled

"A further supplement to an act entitled an act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning."

Said bills were read the first time.

The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

No. 311. "An act making appropriations to defray certain expenses of government."

No. 312. "Address to the governor, for the removal from office of Joseph Lester, a justice of the peace of Northampton county."

No. 313. "Address to the governor for the removal from office of Alexander C. Phelps, a justice of the peace of Susquehanna county."

No. 314. "A supplement to an act entitled an act to try the validity of the charter of the Harrisburg canal, Fire Insurance and Water Company, passed the 5th April, 1826."

No. 315. "A supplement to the act entitled an act to provide for the erection of a poor house for the better relief and employment of the poor, in the townships of Oxford and Lower Dublin, in the county of Philadelphia, and relating to the poor of the borough of Erie, and certain townships in the county of Erie."

No. 216. "An act relating to lotteries and lottery brokers."

No. 317. "An act relative to the distribution of money arising from sheriffs' and coroners' sales, and for other purposes."

No. 318. "An act to annul the marriage contracts of Samuel Weston and Julia Ann his wife, and George Foreakers and Rebecca his wife."

No. 319. "An act for the relief of the heirs of Elisha Matthewson."

Said bills were read the first time.

He also returned the bill No. 181, entitled

"An act authorising the Dauphin and Susquehanna coal company to make Stoney creek, in Dauphin county, a slack water navigation, and supplementary to an act entitled an act to incorporate the Dauphin and Susquehanna coal company, passed April 5, 1826."

And informed that the House of Representatives have passed the same with one amendment, in which the concurrence of the Senate is requested.



On motion,

Said amendment was twice read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

And further informed that the House of Representatives have concurred in the amendments by the Senate to the bill from the House of Representatives, No. 270, entitled

"An act to incorporate the Oxford rail road company of Chester county."

Laid on the table.

Bills from the House of Representatives numbered and entitled as follow, were severally read the third time and passed.

No. 260. "An act to authorise the commissioners of Dauphin county to establish a public school in the borough of Harrisburg, on the Lancasterian system."

No. 252. "An act to establish a bank in the county of Lancaster."

No. 267. "A supplement to the act entitled an act authorising the governor to incorporate the Milesburg and Smethport turnpike road company, and to revive and continue in force and amend an act entitled an act to authorise the governor to incorporate the president and managers and company of the Mount Pleasant turnpike road of Wayne county."

Ordered, That the Clerk return said bills to the House of Representatives, with information that the Senate have passed the first without, and the two latter with amendments, in which the concurrence of that house is requested.

Bills numbered and entitled as follow, were severally read the third time and passed.

No. 283. "An act relative to laying out state roads."

No. 47. "A supplement to an act entitled an act authorising the governor to incorporate the Lackawanna and Susquehanna rail road company."

No. 296. "A supplement to the act entitled an act securing to mechanics and others payment for their labor and materials, in erecting any house or other building within the city and county of Philadelphia."

Bill No. 286, entitled

"An act to incorporate the Pennsylvania association for the mutual comfort and support of its members, and the support and education of their children,"

Was read the third time.

On the question,  
Shall this bill pass?



The yeas and nays were required by Mr. Mann and Mr. Kerlin, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Hambright, Hamilton, Herbert, Leech, Logan, Moore, Ogle,	Messrs. Petrikin, Power, Schall, Seltzer, Sullivan, Sutherland, Winter, 15.
NAYS.	NAYS.
Messrs. Duncan, Garber, Hay, Kelley, Kerlin,	Messrs. King, Knight, Mann, Sturgeon, Mahon, Speaker, 10.

So it was determined in the affirmative.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

On motion of Mr. Sutherland and Mr. Ogle,

The Senate resumed the third reading of bill No. 193, from the House of Representatives, entitled

"An act to authorise John Towers to erect a bridge over the canal and river Schuylkill, at the town called Manyunk, in the county of Philadelphia."

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Sutherland and Mr. Mann,  
To postpone the question, and that the bill be recommended to the early attention of the next legislature.

Which was agreed to.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz:

No. 320, "An act in part to repeal an act entitled, An act relative to the State Penitentiary, in the county of Allegheny."

No. 321. "An act granting compensation for donation land. to sundry soldiers and heirs of soldiers of the revolutionary war."

Said bills were read the first time.

And informed that the House of Representatives have concurred in the amendments by the Senate to the bill from the House of Representatives, entitled

No. 252. "An act to establish a Bank in the county of Lebanon,"

With amendments in which the concurrence of the Senate is requested,

On motion,

Said amendments were twice read considered and adopted.

Ordered, That the Clerk inform the House of Representatives accordingly.

And further informed, that the House of Representatives have non-concurred in the amendments by the Senate, to the bill from the House of Representatives, entitled

No. 267. "A supplement to the act entitled, An act authorising the governor to incorporate the Milesburg, and Smethsport turn-pike road company, and to revive and continue in force and amend an act entitled, An act to authorise the governor to incorporate the president and managers and company of the Mount Pleasant turn-pike road, of Wayne county."

Laid on the table.

On motion of Mr. Ogle and Mr. Sutherland,

The Senate receded from the amendments by the House of Representatives, non-concurred in by the Senate, and insisted on by the House of Representatives, to resolution No. 231, entitled

"Resolution relative to the services of Governor Carroll, during the late war."

Ordered, That the Clerk inform the House of Representatives accordingly.

Bill No. 123, entitled

"An act prescribing the fees of the superintendent of the powder magazine, in the county of Philadelphia,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Duncan and Petrikin,

To amend the same in the 6th line, by striking therefrom the word "six," and inserting in lieu the word "eight."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Sutherland and Mr. Logan,

To postpone the question, and that the bill be recommended to the early attention of the next legislature.

Which was agreed to.

Bill No. 295, entitled

"An act relative to a certain deed executed by Reuben Sayers to Henry Luse, of Greene county,"

Was read the second time.

The same being under consideration,

A motion was made by Mr. Sutherland and Mr. Hawkins,

To postpone the further consideration of the bill for the present.

Which was agreed to.

On motion of Mr. Ryon and Mr. Mann,  
The Senate resumed the second reading and consideration of  
bill No. 249, entitled

"An act relative to turnpike road, bridge and other companies."²

The first section being again under consideration,

The question recurring,  
Will the senate agree so to amend?

It was determined in the negative.

A motion was then made by Mr. Duncan and Mr. Knight,  
To amend the section, by striking out all that follows the word  
"by" in the fifth line, to the word "against" in the sixth line, and  
inserting in lieu the following: "president, managers and company  
of the Lycoming and Potter turnpike road," and by inserting after  
the word "the" in the sixteenth line the word "said."

Which was agreed to.

The section as amended was then agreed to.

The preamble was considered and disagreed to.

The title was considered and agreed to, after being amended so  
as to read,

An act relative to the Lycoming and Potter turnpike road com-  
pany.

On motion of Mr. Ryon and Mr. Ogle,

The rule which prohibits bills being read twice on the same day,  
being in this case dispensed with, said bill was read the third time  
and passed.

Ordered, That the clerk present the said bill to the House of  
Representatives for concurrence.

Agreeably to order,

The senate resolved itself into a committee of the whole, Mr.  
Hambricht in the chair, on bill No. 265, from the House of Repre-  
sentatives, entitled An act to erect the town of Alexandria, in the  
county of Huntingdon, into a borough.

After some time,

The committee rose, and the chairman reported the bill without  
amendment.

On motion of Mr. Garber and Mr. Ogle,

Said bill was read the second time, and

On motion of Mr. Garber and Mr. Petrikin,

The rule which prohibits bills being read twice on the same day,  
being in this case dispensed with, said bill was read the third time  
and passed.

Ordered, That the Clerk return said bill to the House of Re-  
presentatives, with information that the Senate have passed the  
same without amendment.

On motion of Mr. Sutherland and Mr. Logan,  
The rule for going into committee of the whole being in this case dispensed with, bill No. 297, entitled

"An act concerning the assessment of property within this commonwealth,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Mann and Mr. Ogle,  
To amend the same by adding thereto the following: "Provided, that the provisions of this act shall not extend to the counties of Montgomery and Lancaster."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Mann and Mr. Hamilton,  
To postpone the question, and that the bill be recommended to the early attention of the next legislature,

Which was agreed to.

On motion of Mr. Herbert and Mr. King,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 308, entitled

"An act vesting in Rachael Van Fossen, the illegitimate child of Mary Ogle, deceased, the estate of said deceased."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Herbert and Mr. Seltzer,

Said bill was read the second time, and

On motion of Mr. Herbert and Mr. Schall,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. King and Mr. Winter,

The Senate resolved itself into a committee of the whole, Mr. Hamilton in the chair, on bill No. 307, entitled

"A further supplement to an act entitled an act to appoint a board of canal commissioners."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. King and Mr. Ogle,

Said bill was read the second time.

The same being under consideration,

A motion was made by Mr. Sturgeon and Mr. Garber,

To postpone the further consideration of the bill for the present.

Which was agreed to.

On motion of Mr. Mann and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on bill No. 288, entitled

"An act for the relief of John Barlet, a soldier of the revolution."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Kerlin and Mr. Mann,

Said bill was read the second time, and

On motion of Mr. Garber and Mr. Kerlin,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Kelley and Mr. Ogle,

The rule for going into committee of the whole being in this case dispensed with, bill No. 310, entitled

"A further supplement to an act entitled, An act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning."

Was read the second time, and

On motion of Mr. Kelley and Mr. Ogle,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Hawkins and Mr. Ogle,

The Senate adjourned until four o'clock, P. M.

### ***SAME DAY—IN THE AFTERNOON.***

On motion of Mr. Garber and Sturgeon,

The rule for going into committee of the whole being in this case dispensed with, bill No. 309, entitled

"A supplement to an act entitled, An act to alter and amend the Fee bill,"

Was read the second time, and

On motion of Mr. Sutherland and Mr. Hay,  
The rule which prohibits bills being read twice on the same day  
being in this case dispensed with, said bill was read the third time  
and passed.

Ordered, That the Clerk present said bill to the House of Repre-  
sentatives for concurrence.

On motion of Mr. King and Mr. Sturgeon,  
The Senate resumed the second reading and consideration of the  
bill No. 307, entitled

"A further supplement to an act entitled, An act to appoint a  
board of canal commissioners."

The first section being again under consideration,  
A motion was made by Mr. Petrikin and Mr. Ogle,

To amend the same, by striking out the word "nine," and in-  
serting in lieu, the word "seven."

On the question,  
Will the Senate agree so to amend?

The yeas and nays were required by Mr. Ogle and Mr.  
Hamilton, and are as follow, viz.

YEAS.	YEAS.
Messrs. Hambright, Hamilton, Kerlin, Mann, Moore, Ogle, Petrikin,	Messrs. Ray, Ryon, Schall, Seltzer, Winter, Mahon, speaker, 13.
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Garber, Hawkins, Hay, King,	Messrs. Knight, Leech, Power, Sturgeon, Sullivan, Sutherland, 12.

So it was determined in the affirmative.

A motion was then made by Mr. Winter and Mr. Petrikin,  
That the Senate reconsider the vote just taken, in striking out  
the word "nine," and inserting "seven."

Which was agreed to.

On the question,  
Will the Senate reconsider said vote.

It was determined in the affirmative.

The question recurring,

Will the Senate agree so to amend?

It was determined in the negative.

A motion was then made by Mr. Garber and Mr. Petrikin,

To amend the section, by striking therefrom these words: "from and after the passage of this act," and by striking out the word "next," where it occurs after the word "June," and inserting in lieu "1828."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Garber and Mr. Petrikin, and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan, Garber, Hay,	Messrs. Kelley, Kerlin, Power, 6.
NAYS.	NAYS.
Messrs. Allshouse, Hambright, Hamilton, Hawkins, King, Knight, Leech, Mann, Ogle, Petrikin,	Messrs. Ray, Ryon, Schall, Seltzer, Sturgeon, Sullivan, Sutherland, Winter, Mahon, speaker, 19.

So it was determined in the negative.

The section was then agreed to.

The remaining sections, together with the title, were severally considered and agreed to.

On motion of Mr. King and Mr. Sturgeon,

The rule which prohibits bills being twice read on the same day, was in this case dispensed with, and said bill was read the third time.

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Garber and Mr. Knight, and are as follow, viz.

## YEAS.

## YEAS.

Messrs. Allshouse,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Kerlin,  
King,  
Knight,  
Leech,  
Mann,  
Moore,

Messrs. Petrikin,  
Power,  
Ray,  
Ryon,  
Schall,  
Seltzer,  
Sturgeon,  
Sullivan,  
Winter,  
Mahon, speaker, 21.

## NAYS.

## NAYS.

Messrs. Garber,  
Kelley,

Messrs. Ogle,  
Sutherland, 4.

So it was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Hambright and Mr. Schall,

The Senate resolved itself into a committee of the whole, Mr. Kelley in the chair, on bill No. 246, entitled

"A further supplement to the act entitled An act regulating arbitrators, passed the 20th day of March, A. D. 1810."

After some time,

The committee rose, and the chairman reported the bill negatived.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

It was determined in the affirmative.

On motion of Mr. Power and Mr. Ogle,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 306, entitled

An act for the relief of William Blair and William Lecky, administrators of Joseph Arthurs, deceased, and the sureties of Samuel Mann, late collector of taxes in the city of Pittsburg."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Sullivan and Mr. Power,

Said bill was read the second time, and



**On motion of Mr. Sullivan and Mr. Power,**

**The rule which prohibits bills being read twice on the same day, was in this case dispensed with, and said bill was read the third time and passed.**

**Ordered, That the clerk present said bill to the House of Representatives for concurrence.**

**On motion of Mr. Mann and Mr. Power,**

**The rule for going into a committee of the whole, being in this case dispensed with, bill No. 268, entitled**

**"An act for the relief of William Streep, a soldier of the revolution"**

**Was read the second time, and**

**On motion of Mr. Kerlin and Mr. Leech,**

**The rule which prohibits bills being read twice on the same day, was in this case dispensed with, and said bill was read the third time and passed.**

**Ordered, That the Clerk present said bill to the House of Representatives for concurrence.**

**The Clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.**

**No. 322. "An act fixing the compensation of the state engineers and their assistants."**

**No. 323. "A supplement to an entitled an act for the relief of the poor, passed the 9th day of March, 1771."**

**Said bills were read the first time.**

**On motion of Mr. Hawkins and Mr. Hay,**

**The Senate adjourned until 8 o'clock, P. M.**

### **IN THE EVENING.**

**On motion of Mr. Power and Mr. Petrikin,**

**The Senate resolved itself into a committee of the whole, Mr. Hay in the chair, on bill No. 141, entitled**

**"A further supplement to an act for the preventing clandestine marriages."**

**After some time,**

**The committee rose and the chairman reported the bill without amendment.**

A motion was made by Mr. Mann and Mr. Power,

That the Senate proceed to the consideration of bill No. 150, entitled

"An act to repeal an act relating to collateral inheritances."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Power, and are as follow, viz.

YEAS.	YEAS.
Messrs. Hambright, Hamilton, Herbert, Kerlin,	Messrs. Mann, Ogle, Seltzer, Mahon, speaker, 8.
NAYS.	NAYS.
Messrs. Allshouse, Audenried, Hawkins, Hay, Kelley, Knight, Leech, Moore,	Messrs. Petrikin, Power, Ray, Ryon, Sturgeon, Sullivan, Sutherland, 15.

So it was determined in the negative.

The Clerk of the House of Representatives being introduced, presented for concurrence the bill entitled as follow, viz.

No. 324. "An act to authorise the establishment of a branch bank in the town of Pottsville, in Schuylkill county."

He also returned the bill No. 248, entitled

"An act to authorise the trustees of a public school, in Douglas township, Berks county, to sell certain real estate."

And informed that the House of Representatives, have passed the same with amendments, in which the concurrence of the Senate is requested.

Said bill and amendments were read the first time.

Adjourned until 9 o'clock, on Monday morning next.

**MONDAY, April 9, 1827.**

Messrs. Ryon, Knight and Emlen, obtained leave of absence from Thursday the 12th instant to the end of the session.

Messrs. Sturgeon and Kitchin obtained leave of absence from Wednesday the 11th instant to the end of the session.

Mr. Kelley obtained leave of absence from to-morrow to the end of the session.

Mr. Hambright obtained leave to withdraw the petition and documents of George Eichelberger, a revolutionary soldier.

The secretary of the commonwealth being introduced, presented a message from the governor, which was read as follows, viz,

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts and resolution of the general assembly, and directed the secretary of the commonwealth to return them to the houses in which they respectively originated, viz.

No. 97. "An act supplementary to an act for building a bridge over the river Schuylkill, opposite Norristown, in the county of Montgomery."

No. 124. "A supplement to the act entitled an act authorising the governor to incorporate the Conestoga navigation company."

No. 153. An act relative to the Eastern and Western Penitentiaries."

No. 227. "A supplement to the act entitled an act authorising the governor to incorporate the Susquehanna and Lehigh canal company."

No. 25. "An act to lay out a state road from New Geneva, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek."

No. 262. "An act to authorise the governor to incorporate a company for making an artificial road from the borough of Wilkesbarre, in the county of Luzerne, by the way of Solomon's Gap and Mauch Chunk, to the borough of Northampton, in the county of Lehigh."

No. 258. "An act authorising the commissioners of Lancaster county to sue in the name and style of 'The Commissioners of

Lancaster county," and prescribing that no person subject to county rates and levies shall be disqualified for that reason from being judge, juror, or witness in such suit."

No. 259. "An act to change the time of meeting of the auditors of Luzerne and Northampton counties."

No. 268. "An act to increase the number of managers in the Huntingdon, Cambria and Indiana turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

No. 266. "A supplement to the act entitled "An act to authorise the governor to incorporate two companies to make an artificial road from Potter's Old Fort, in Centre county, to the Juniata turnpike road, at any point between the Yellow Springs and Water Street, in Huntingdon county."

No. 280. "An act to authorise Joseph M'Cune to erect swinging gates or racks across the South West branch of the Frankstown branch of the river Juniata."

No. 284. "A further supplement to an act entitled "An act to authorise the governor to incorporate a company to make a lock navigation on the river Schuylkill."

No. 181. "An act to annul the marriage contracts of Nicholas Black and Fanny his wife, John W. Shinn and Margaret Ann his wife, William Fleming and Rebecca his wife, and John C. Hale (otherwise John Hill) and Matilda his wife."

No. 272. "A resolution relative to the printing of the laws relating to the circuit courts."

No. 275. "An act to provide for the further extension of the Pennsylvania Canal."

J. ANDW. SHULZE.

*Harrisburg, April 9, 1827.*

Laid on the table.

Mr. Mann, from the committee on claims, to whom was referred the petition and documents of Martin Doll, reported:

That they have carefully examined the petition and documents of Martin Doll, and are of the opinion that the prayer of the petitioner ought not to be granted; notwithstanding his claim seems to be pretty sufficiently substantiated. But as no proof of his poverty has been produced to satisfy your committee, they deem it inexpedient to grant him a pension; and offer the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion of Mr. Mann and Mr. Ray,

The resolution attached to the above report was read the second time, considered and adopted.

Mr. Herbert, from the committee to compare bills and present them to the Governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day present-

ed to the Governor for his approbation, the bills numbered and entitled as follow, to wit:

No 181. "An act authorising the Dauphin and Susquehanna Coal Company to make Stony Creek, in Dauphin county, a slack water navigation, and supplementary to an act entitled, An act to incorporate the Dauphin and Susquehanna coal company, passed April the fifth, eighteen hundred and twenty-six."

No. 231. "Resolution relative to the services of Governor Carroll, during the late war."

No. 260 "An act to authorise the commissioners of Dauphin county, to establish a public school in the borough of Harrisburg, on the Lancasterian system."

No. 265. "An act to erect the town of Alexandria, in the county of Huntingdon, into a borough."

No. 270. "An act to incorporate the Oxford rail road company of Chester county."

Laid on the table.

Mr. Mann from the committee on claims, to whom were referred the petition and documents of Elizabeth Hunt, reported:

That they have carefully examined the petition and documents referred to them, and are of the opinion that the prayer of the petitioner ought not to be granted; inasmuch, as Capt Hendricks' services were performed in a volunteer company of riflemen, which was directed to be raised in each county, and marched against Quebec, and that no land was promised to those who performed that service; that no land was ever promised until the resolves of congress authorised regular enlistments in the Pennsylvania line; hence Capt. Hendricks could not have been entitled, and if he had, your committee believe none but the lineal heirs would have been entitled, and no collateral branch; and as your committee understand Elizabeth Hunt is the niece of Capt. Hendricks, and not entitled, under any circumstances. They therefore offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

Laid on the table.

Mr. Garber, from the committee on accounts, reported:

That the following sums annexed to the names of the members and officers, are due them respectively, for their mileage and pay during the present session of the legislature up to the seventeenth, inclusive, the day agreed on for the final adjournment of the legislature.

Henry Allshouse,	134, at \$3 pr. day,	\$50, at 15 cts. pr. m.	\$-154	50
William Audenried,	134	156	425	40
Stephen Duncan,	134	202	432	30
James Dunlop,	134	100	417	
George Emlen,	134	202	432	30
Christian Garber,	134	236	437	40
Frederick Hambright,	134	72	412	80
John Hamilton,	134	92	415	80
Wm. G. Hawkins,	134	460	471	
Peter Hay,	134	204	432	60
Zephaniah Herbert,	134	72	412	80
Joshua Hunt,	134	140	423	
Eben Smith Kelley,	120	400	420	
John Kerlin,	134	244	468	60
Henry King,	134	176	428	40
Ely Kitchin,	134	272	442	80
Jonathan Knight,	134	440	468	
John Leech,	134	540	483	
Henry Logan,	134	22	405	30
Joel K. Mann,	134	226	435	90
Robert Moore,	154	146	423	90
Alexander Ogle,	134	290	445	50
Henry Petrikin,	134	194	431	10
Samuel Power,	134	456	470	40
John Ray,	134	120	420	
John Ryon,	134	370	457	50
George Schall,	134	134	422	10
George Seltzer,	134	50	409	50
Daniel Sturgeon,	134	400	462	
Moses Sullivan,	134	460	471	
Joel B. Sutherland,	134	204	432	60
Henry Winter,	134	228	436	20
Alexander Mahon,				
Speaker,	134 at \$4 pr. day,	36	541	40
John De Pui, Clerk,	134 do.		\$536	
Salary,			300	
Henry W. Snyder, Ass't Cl'k,	134 days,		536	
Salary,			150	
William Shannon, Serg't-at-Arms,	134 at \$2 pr. day,	268	686	
Salary,		100		
Robert Dickey, Doorkeeper,	134 do.	268	368	
Salary,		100		
Lawrence Lewis, Ass't Doork'r.	134 at \$1 50 pr. day		368	
			201	

Resolved; That the Speaker draw his warrants on the state treasurer, in favor of the members and officers, for the several sums set opposite their respective names.

On motion,

The resolution attached to the foregoing report, was read the second time, considered and adopted, and

Warrants were accordingly so drawn.

Bill No. 141, entitled,

"A further supplement to an act for the preventing clandestine marriages."

Was read the second time.

The same being under consideration,

A motion was made by Mr. Ogle and Mr. Kerlin,

To postpone the further consideration of the bill, and that it be recommended to the early attention of the next legislature.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No. 278, from the House of Representatives, entitled

"An act for raising by way of lottery the sum of sixty thousand dollars, for defraying the expenses of introducing water into the city of Lancaster."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hunt in the chair, on bill No. 276, from the House of Representatives, entitled

"An act for the relief of Joseph H. Fennemore."

After some time,

The committee rose, and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Emlen in the chair, on bill No. 84, from the House of Representatives, entitled

"An act concerning the backing or indorsing warrants by justices of the peace."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Sturgeon and Mr. Garber,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 301, from the House of Representatives, entitled

"An act appropriating a sum of money to open a state road through part of Fayette county."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Kelley and Mr. Garber,

The Senate resolved itself into a committee of the whole, Mr. King in the chair, on bill No. 256, from the House of Representatives, entitled

"An act directing the commissioners of Venango county to raise a sum of money to extinguish a debt due the county of Warren."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Kelley and Mr. Garber,

Said bill was read the second time, and

On motion of Mr. Kelley and Mr. Moore,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same without amendment.

On motion of Mr. Sturgeon and Mr. Garber,

The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No. 290, from the House of Representatives, entitled

"An act for the relief of William Arnold, late a supervisor of Luzerne township, in the county of Fayette, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Sturgeon and Mr. Garber,

Said bill was read the second time, and

On motion of Mr. Sturgeon and Mr. Garber,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

On motion of Mr. Kelley and Mr. Ogle,

The Senate resolved itself into a committee of the whole Mr. Leech in the chair, on bill No. 261, from the House of Representatives, entitled

"An act authorising a re-examination and settlement of the accounts of Joseph M'Cullough, a supervisor in Jefferson county."



After some time,  
The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Ogle and Mr. Ryon,  
Said bill was read the second time, and

On motion of Mr. Ogle and Mr. Moore,  
The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

On motion of Mr. Sutherland and Mr. Logan,  
The Senate resolved itself into a committee of the whole, Mr. Logan in the chair, on bill No. 292, from the House of Representatives, entitled

"An act to incorporate the Philadelphia rail way dock company."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Sutherland and Mr. Ogle,  
Said bill was read the second time, and

On motion of Mr. Sutherland and Mr. Ogle,  
The rule which prohibits the reading of bills twice on the same day, being in this case dispensed with, the bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

On motion of Mr. Emlen and Mr. Ryon,  
The rule for going into a committee of the whole, being in this case dispensed with, bill No. 279, from the House of Representatives, entitled

"A supplement to the several acts for the inspection of staves and heading,"

Was read the second time, and

On motion of Mr. Emlen and Mr. Ryon,  
The rule which prohibits bills being read twice on the same day, was in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

A motion was made by Mr. Ogle and Mr. Ray,

That the Senate recede from their amendments non-concurred by the House of Representatives, to bill No. 267, from the House of Representatives, entitled

"A supplement to the act entitled an act authorising the governor to incorporate the Milesburg and Smethport turnpike road company, and to revive and continue in force and amend an act entitled an act to authorise the governor to incorporate the president and managers and company of the Mount Pleasant turnpike road of Wayne county."

On the question,

Will the Seate agree to the motion?

A motion was made by Mr. Mann and Mr. Hunt,

To postpone the question, together with the amendments and bill, indefinitely.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Mann and Mr. Hunt, and are as follow, viz.

YEAS.

Messrs. Allshouse,  
Emlen,  
Garber,  
Hawkins,  
Hay,  
Herbert,  
Hunt,

YEAS.

Messrs. Kelley,  
Kerlin,  
King,  
Knight,  
Mann,  
Seltzer,  
Sturgeon,

14.

NAYS.

Messrs. Duncan,  
Hambright,  
Hamilton,  
Logan,  
Moore,  
Ogle,  
Petrikip,

NAYS.

Messrs. Power,  
Ray,  
Ryon,  
Schall,  
Sullivan,  
Mahon, Speaker,

13.

So it was determined in the affirmative.

Adjourned until 9 o'clock, to-morrow morning.

**TUESDAY, April 10, 1827.**

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, to wit:

No 252. "An act to establish a bank in the county of Lebanon."

No. 256. "An directing the commissioners of Venango county to raise a sum of money to extinguish a debt due the county of Warren."

No. 261. "An act authorising a re-examination and settlement of the accounts of Joseph M'Cullough, a supervisor in Jefferson county."

No. 279. "A supplement to the several acts for the inspection of staves and heading."

No. 290. "An act for the relief of William Arnold, late a supervisor of Luzerne township, in the county of Fayette, and for other purposes."

Laid on the table.

Mr. Kitchin, from the joint committee, to whom was referred the resolution relative to the improvement of the public ground attached to the State Capitol, reported:

That the state of the public grounds attached to the State Capitol is such, as in the opinion of your committee requires improvement. By a resolution, passed the 11th of April, 1825, the sum of two thousand dollars was appropriated to purchase certain lots therein mentioned, with a view of extending the public grounds.

This resolution has never been carried into effect, in consequence of the lot holders demanding more than the sum appropriated for the purchase. In the opinion of your committee the public grounds attached to the Capitol are sufficiently extensive, without any further addition; and owing to their peculiar formation, it will be found necessary to throw out a portion of them to give a proper effect to a plan of uniformity in their improvement. Your committee accompany this report with a plan, embracing the ground contemplated to be included within an enclosure; and from every information they have been enabled to collect, they are induced to believe that the sum of five thousand dollars would enclose the grounds included in the plan, with a stone wall, and re-

duce them to a proper level. Your committee are of opinion that the secretary of the commonwealth might be properly entrusted with the execution of the duties of directing and superintending the improvement, and therefore offer the following resolution:

*Resolved*, That the committee be discharged from the further consideration of the subject.

Laid on the table.

Mr. Mann, from the committee on claims, to whom was committed bill No. 299, from the House of Representatives, entitled

"An act for the relief of sundry soldiers and widows of soldiers of the revolutionary war,"

Reported bill No. 325, with a similar title.

Said bill was read the first time.

On motion of Mr. Knight and Mr. Ogle,

The committee on roads, bridges and inland navigation, was discharged from the further consideration of the petitions praying for a review of a state road from the borough of Indiana to Port Johnston, in Indiana county, and the petition praying for pecuniary aid in the construction of a state road across Godfrey's mountain, between Stroudsburg and the Delaware Water Gap, in Northampton county.

Mr. Hawkins, from the committee on the judiciary system, to whom was committed bill No. 271, from the House of Representatives, entitled

"An act to authorise the secretary of the land office to issue patents to Archippus Parrish, John Stanley and others, for certain lands in the county of Susquehanna,"

Reported bill No. 326, with a similar title.

Said bill was read the first time.

On motion of Mr. Sturgeon and Mr. Garber,

The Senate resumed the third reading of bill No. 192, from the House of Representatives, entitled

"An act supplementary to an act passed the 28th of March, 1814, entitled an act making provisions for the travelling expenses of the president and associate judges of the courts of common pleas."

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Ogle and Mr. Knight,

To postpone the question, and that the bill be recommended to the early attention of the next legislature.

Which was agreed to.

The clerk of the House of Representatives being introduced returned the bills entitled as follow, viz:

No. 257. "An act concerning agencies of insurance companies not authorised by the laws of this state, established within this commonwealth."

No. 68. "A supplement to an act entitled "An act authorising the governor to incorporate the York Water Company, passed the 8th day of February 1816."

And informed that the House of Representatives have passed the same without amendment.

He also informed that the House of Representatives have concurred in the amendments by the Senate to the bill from the House of Representatives, entitled

No. 292. "An act to incorporate the Philadelphia rail way dock company."

Laid on the table.

Bill No. 272, from the House of Representatives, entitled

"An act for raising by way of lottery the sum of sixty thousand dollars for defraying the expenses of introducing water into the city of Lancaster,"

Was read the second time.

The first section being under consideration,

A motion was made by Mr. Duncan and Mr. King,

To amend the same by adding thereto the following proviso:

Provided, That the amount of tickets sold in said lottery hereby authorised, shall not exceed the sum of six hundred thousand dollars.

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Emlen and Mr. Ogle, and are as follow, viz.

YEAS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hawkins,  
Kerlin,  
King,  
Kitchin,

NAYS.

Messrs. Allshouse,  
Hambright,  
Hamilton,  
Herbert,  
Leech,  
Logan,

NAYS.

Messrs. Knight,  
Mann,  
Moore,  
Power,  
Ryon,  
Seltzer,  
Sturgeon, 24.

NAYS.

Messrs. Ogle,  
Petrikin,  
Schall,  
Sutherland,  
Winter,  
Mahon, speaker. 19.

So it was determined in the affirmative.

On the question,  
Will the Senate agree to the section as amended?

The yeas and nays were required by Mr Hawkins and Mr Ogle, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Hambright, Hamilton, Herbert, Leech, Logan, Ogle,	Messrs. Petrikin, Schall, Sturgeon, Sutherland, Winter, Mahon, Speaker. 18.
NAYS.	NAYS.
Messrs. Duncan, Emlen, Garber, Hawkins, Hay, Kerlin, King,	Messrs. Kitchin, Knight, Mann, Moore, Power, Ryon, Seltzer, 14.

So it was determined in the negative.

Bill No. 276, from the House of Representatives, entitled  
"An act for the relief of Joseph H. Fennemore,"

Was read the second time.

The first section was considered and agreed to.

The title being under consideration,

A motion was made by Mr. Sutherland and Mr. Logan,

To postpone the title for the present, for the purpose of introducing the following, to be called section 2.

And be it further enacted by the authority aforesaid, That the auditor general be and he is hereby authorised to settle and adjust the account of Bartholomew Graves, for supplying the officers of the second brigade, first division, Pennsylvania militia, with sustenance, &c. while sitting as a general court martial, on the trial of lieutenant colonel Sylvester Roberts, of the one hundredth regiment, in said brigade, in the year 1822, on his producing satisfactory vouchers of his having furnished the same, and that he has not been compensated therefor; and the said auditor general is hereby authorised to draw his warrant on the state treasurer, for the amount due, if any, as aforesaid: Provided, That it shall not exceed the sum of one hundred and ninety-one dollars and ninety-three cents.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Hawkins and Mr. Hamilton, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Petrikin,	
Audenried,		Power,	
Garber,		Ryon,	
Hambright,		Schall,	
Hamilton,		Seltzer,	
Hay,		Sutherland,	
Logan,		Mahon, Speaker,	14.
NAYS.		NAYS.	
Messrs. Hawkins,		Messrs. Leech,	
Kerlin,		Moore,	
King,		Sturgeon,	7.
Knight,			

So it was determined in the affirmative.

The manuscript section being under consideration,

A motion was made by Mr. Sutherland and Mr. Logan,

To amend the same, by adding thereto the following proviso:

And provided also the same shall not exceed the reasonable expenses and mileage of the members of said court."

Which was agreed to.

The section, as amended, was then agreed to.

The title being under consideration,

A motion was made by Mr. Sutherland and Mr. Hamilton,

To amend the title, by adding thereto these words: "and Bartholomew Graves."

Which was agreed to.

On the question,

Will the Senate agree to the title, as amended?

A motion was made by Mr. Garber and Mr. Hawkins,

To postpone the question, together with the bill, indefinitely.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Garber and Mr. Hawkins, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Leech,	
Garber,		Moore,	
Hawkins,		Petrikin,	
Hunt,		Sturgeon,	
Kerlin,		Sullivan,	
King,		Mahon, speaker,	13
Knight,			

## NAYS.

Messrs. Audenried,  
Duncan,  
Emlen,  
Hambright,  
Hamilton,  
Hay,  
Kitchin,

## NAYS.

Messrs. Logan,  
Power,  
Ryon,  
Schall,  
Seltzer,  
Sutherland,

18.

So it was determined in the negative.

The question recurring,  
Will the Senate agree to the title as amended?

It was determined in the affirmative.

(On the question,  
Shall this bill be prepared for the third reading?

The yeas and nays were required by Mr. Hunt and Mr. Hawkins, and are as follow, viz.

## YEAS.

Messrs. Audenried,  
Duncan,  
Emlen,  
Hambright,  
Hamilton,  
Hay,  
Kitchin,

## YEAS.

Messrs. Logan,  
Power,  
Ryon,  
Schall,  
Seltzer,  
Sutherland,

18.

## NAYS.

Messrs. Allshouse,  
Garber,  
Hawkins,  
Hunt,  
Kerlin,  
King,

## NAYS.

Messrs. Knight,  
Leech,  
Moore,  
Sturgeon,  
Sullivan,  
Mahon, speaker,

12.

So it was determined in the affirmative.

Bill No 84, from the House of Representatives, entitled  
"An act concerning the backing or endorsing warrants by justices of the peace,"

Was read the second time, and

On motion of Mr. Sutherland and Mr. Ogle,

The rule which prohibits bills being read twice on the same day was in this case dispensed with, and said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested,



**Bill No. 301, from the House of Representatives, entitled**

**"An act appropriating a sum of money to open a state road through part of Fayette county."**

**Was read the second time, and**

**On motion of Mr. Ogle and Mr. Knight,**

**The rule which prohibits the reading of bills twice on the same day being in this case dispensed with, said bill was read the third time and passed.**

**Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.**

**On motion of Mr. Hunt and Mr. Petrikin,**

**Bill No. 321, from the House of Representatives, entitled**

**"An act granting compensation for donation land, to sundry soldiers and heirs of soldiers of the revolutionary war,"**

**Was committed to the committee on claims.**

**Agreeably to order,**

**The Senate again resolved itself into a committee of the whole, Mr. Ryon in the chair, on bill No. 325 from the House of Representatives, entitled**

**"An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war,"**

**After some time,**

**The committee rose and the chairman reported the bill without amendment.**

**On motion of Mr. Ogle and Mr. Knight,**

**Said bill was read the second time, and**

**On motion of Mr. Ogle and Mr. Moore,**

**The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.**

**Ordered, That the clerk return the said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Moore in the chair, on bill No. 67, from the House of Representatives, entitled**

**"An act to declare the uses of certain bonds."**

**After some time,**

**The committee rose, and the chairman reported the bill with amendments.**

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Ogle in the chair, on bill No. 252, from the House of Representatives, entitled

"An act to improve the Norwegian creek in Schuylkill county."

After some time,

The committee rose and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Petrikin in the chair, on resolution No. 255, from the House of Representatives, entitled

"Resolution relative to the support of the Western penitentiary."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to-morrow.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Schall in the chair, on bill No. 294, entitled

"An act to regulate election districts."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Tuesday the seventeenth instant.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Seltzer, in the chair, on bill No. 293, from the House of Representatives, entitled

"An act authorising the reviewing and laying out certain state roads, and for other purposes."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Ogle and Mr. Logan,

To discharge the committee of the whole, and that the bill be committed to the committee on roads, bridges and inland navigation.

Which was agreed to.

Agreeably to order,

The Senate resolved itself into committee of the whole, Mr. Sutherland in the chair, on bill No. 300, from the House of Representatives, entitled

"An act for the relief of Nathaniel Patterson, inspector of the first brigade, fifteenth division, Pennsylvania militia, and for the relief of Nathaniel W Sample, junior, inspector of the second brigade, fourth division, Pennsylvania militia."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Ogle and Mr. Power,

Said bill was read the second time, and

Ordered to be prepared for the third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No 302, from the House of Representatives, entitled

"An act to lay out and improve a road on the east side of the Susquehanna river, from the borough of Sunbury, through Georgetown, to Rogers' ferry, and for other purposes."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on Thursday the 12th inst.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Sullivan in the chair, on bill No. 503, from the House of Representatives, entitled

"An act granting a sum of money to aid in opening and improving a certain state road therein mentioned."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Petrikin and Mr. Hambright,

Said bill was read the second time.

The first and second sections were severally considered and agreed to.

The third section being under consideration,

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Allshouse and Mr. Hawkins, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Duncan,  
Emlen,  
Hambright,  
Herbert,  
Moore,  
Ogle

YEAS.

Messrs. Petrikin,  
Power,  
Schall,  
Seltzer,  
Sutherland,  
Mahon, speaker, 19.

## NAYS.

## NAYS.

Messrs. Allshouse,  
Garber,  
Hawkins,  
Hunt,  
Kerlin,  
King,

Messrs. Knight,  
Leech,  
Ryon,  
Sturgeon,  
Sullivan,

4.

So it was determined in the affirmative.

The remaining sections and title were then severally considered and agreed to.

Ordered, That said bill be prepared for the third reading.

On motion of Mr. Ryon and Mr. Hawkins,

The rule for going into committee of the whole being in this case dispensed with, bill No. 326, from the House of Representatives, entitled

"An act authorising the secretary of the land office to issue patents to Archippus Parrish, John Stanley and others, for certain lands in the county of Susquehanna,"

Was read the second time.

The sections were severally considered and agreed to.

The preamble was considered and disagreed to.

The title was considered and agreed to, after striking therefrom the name "Archippus Parrish."

On motion of Mr. Seltzer and Mr. Ryon,

The rule which prohibits bills being read twice on the same day being in this case dispensed with, said bill was read the third time.

The same being under consideration,

A motion was made by Mr. Herbert and Mr. King and unanimously agreed to,

To amend the bill by striking out of the 13th line of the first section, the words "but now the property of," and inserting in lieu the following, "afterwards forfeited to."

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Knight and Mr. Leech, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Andersried, Emlen, Garber, Hambright, Hamilton, Hawkins, Kerlin, King, Moore,	Messrs. Petrikin, Power, Ryon, Schall, Seltzer, Sullivan, Sutherland, Winter, Mahon, speaker, 19.
NAYS.	NAYS.
Messrs. Herbert, Hunt, Knight,	Messrs. Leech, Logan, Ogle, 6.

So it was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

On motion of Mr. Sutherland and Mr. Leech,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on bill No. 281, from the House of Representatives, entitled

No. 281. "An act to erect the town of Elizabethtown, in the county of Lancaster, into a Borough; and supplementary to the acts incorporating the towns of Williamsport and Jersey Shore, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Adjourned until 9 o'clock, to-morrow morning.

**WEDNESDAY, April 11, 1827.**

Mr. Moore presented the petition of Alida M. Wattles, of Columbia county, praying to be divorced from the bonds of matrimony.

Mr. Audenried presented a document in support of the claim of Elizabeth Heaton.

Mr. Hawkins presented the memorial of sundry citizens of Greene county, praying that the Baltimore and Ohio Rail Road Company may be authorised to locate and construct the said rail road through the state of Pennsylvania.

Said petition, document and memorial were laid on the table.

The speaker laid before the Senate a letter from the auditor general, accompanied with a document, which were read as follows:

**AUDITOR GENERAL'S OFFICE.**

*April 11, 1827.*

**SIR—**

I herewith transmit to the Senate a copy of a bill, or complaint, presented to the circuit court of the United States, for the district of Pennsylvania, together with a copy of a subpoena or summons issued from said court, requiring my personal attendance this day. This process was only served on me on the sixth instant, and the day fixed by the court is peculiarly inconvenient, as during the session of the legislature my personal attendance is indispensably necessary, to discharge the public duties of the office of auditor general. This complaint, it will be observed, is made by the representatives of the late John Nicholson, and alleges that certain documents and papers relative to that estate are in my possession, or under my control; and the object appears to be to have them delivered up. As an individual, I have no papers concerning that estate, either in possession or charge. Whatever papers there may be in the auditor general's office, that relates to John Nicholson's property, are public papers, officially filed, and in my custody as a public officer, and for which I am accountable to the state.

I have thought it my duty to lay copies of these processes from the United States court before the legislature, as information that legal proceedings have been commenced in that court. I further inform the legislature that I have written to George M. Dallas, Esquire, deputy attorney general, to give his professional attendance and services to the subject; but as I am not authorised by

law to employ counsel in this case, I would respectfully suggest the necessity of making legal provision to enable me so to do.

I am with great respect,

Sir, your obedient servant,

DAVID MANN.

*The Hon. Alexander Mahon,  
Speaker of the Senate.*

*United States, District of Pennsylvania, ss.*

The President of the United States to David Mann, Esq. a citizen of the state of Pennsylvania, greeting:

For certain causes offered before the circuit court of the United States, in and for the district of Pennsylvania, in the third circuit, we command and strictly enjoin you, that, laying aside all other matters, and notwithstanding any excuse, you personally be and appear before the judges of the said court, at a session of the same court, to be holden at Philadelphia, on the 11th day of April next, to answer concerning those things which shall then and there be objected against you, and to do further and receive what the said court shall have considered in this behalf, and have you then there this writ; and this you are in no wise to omit under the penalty of four hundred dollars.

Witness the honorable John Marshall, chief justice of the supreme court of the United States, at Philadelphia, this thirty-first day of October, A. D. 1826, and in the fifty-first year of the Independence of the United States.

D. CALDWELL, *Clerk Cr't. Ct.*

A true copy.

JOHN CONARD, *Marshall.*

To the honorable Bushrod Washington and Richard Peters, Judges of the circuit court of the United States, for the district of Pennsylvania, in equity, humbly complaining, shew unto your honors, your orators and oratrixes, John Nicholson, James Nicholson, Sarah Morgan and George W. Morgan her husband, Hannah Jane Nicholson, an infant under the age of twenty-one years, by the said John Nicholson, her uncle and next friend, and Duncan Hennen, an infant under the age of twenty-one years, by Alfred Hennen, his father and next friend, all citizens of the state of Louisiana.

That they, the said John, James and Sarah are the only surviving children of John Nicholson, of the state of Pennsylvania, deceased, the said Hannah Jane, the only child of Samuel Nicholson, deceased, who was another son of the said John Nicholson, deceased, and the said Duncan is the only child of Anna Maria Nicholson, deceased, another daughter of the said John Nicholson, deceased, who was in her lifetime the wife of the said Alfred Hennen.

Your orators shew that they are the only heirs by the law of Pennsylvania, of the said John Nicholson, formerly of Pennsylv-

nia, deceased, and his only beneficiary heirs by the law of the state of Louisiana, which title of beneficiary they take in order to prevent consequences that might result from an unqualified acceptance of the inheritance under the law of Louisiana.

And your orators shew, that the said John Nicholson, their parent, died intestate, in the state of Pennsylvania, sometime in or about the year eighteen hundred, seized and possessed of a very large real estate, in that state and elsewhere, and all his heirs being then infants, they were ignorant of the state of his affairs, and could not from their tender ages, take the necessary measures for preserving the titles, evidences and documents relative to his said real estate, which papers passed into the hands of persons unauthorised by him to receive them.

Your orators further shew, that they have lately discovered that title deeds, copies of records, covenants and other written evidences and documents relating to the real estate of the said John Nicholson, deceased, situate in the state of Pennsylvania and elsewhere, and books of accounts and memorandums and journals, in all of which are entered occurrences relating to the said real estate, are in the possession and custody of David Mann, Esquire, a citizen of the state of Pennsylvania, at Harrisburg, in the said state.

And your orators further shew, that they are informed and verily believe, that, since the death of the said John Nicholson, conveyances and releases of great part of his real estate, have been made by persons without any right to make them, and that the said David Mann has in his possession, or under his control, the evidences or records of such conveyances and releases so illegally made.

Your orators have often, in a friendly way, applied to the said David Mann, and requested him to deliver to them the said documents, evidences, records, books, deeds, and other papers, relative to the said real estate of the said John Nicholson, deceased, and to give them an account of the said illegal conveyances and releases made since his death.

But now so it is, may it please your honors, that the said David Mann, combining and confederating with divers other persons unknown to your orators, whose names, when discovered, they pray may be marked, in this their bill of complaint, with proper and apt words, to charge them as parties hereto, not only has refused the said just and reasonable request, but any account of the same; whereas, your orators charge, that they are the lawful property of the said John Nicholson, deceased, and his heirs; which doings of the said David Mann, are contrary to equity and good conscience, tending to the manifest wrong, injury and oppression of your orators; and, forasmuch as they are utterly remediless in the premises by the strict rules of the common law, where they cannot have plain, adequate and complete remedy, which can be obtained only in this honorable court, by a discovery of the said deeds, books and papers, of the number and particular description of which, your orators are ignorant; also, by reason of the illegal disposition of parts of the said real estate, that since the death of the said John Nicholson, have been so disposed of, for redress whereof, a decree



of this honorable court is necessary, for the delivery of the said deeds, books, documents, vouchers, and other papers relative to the said real estate.

And to the end that the said David Mann and his confederates, when discovered, may, upon their several corporal oaths, true, full and perfect answers make to all and singular the premises, in as full and ample a manner as if repeated, and they thereto specially interrogated, particularly whether he the said David Mann, has not in his possession or custody any books, deeds, conveyances, journals, vouchers, documents, or other papers, relating to the real estate whereof the said John Nicholson, deceased, was at any time seized or possessed, or to which he had any legal or equitable title, right or claim; and that he may also discover whether he has not in his custody any entry or record of any release, conveyance, or other disposition of the said estate, that may have been made for or concerning the same, since the death of the said John Nicholson, if so, what part or parts of the same, on what consideration, by whom the same was disposed of, by what authority or claim of right to do so, and where the part disposed of is situated; likewise that the said David Mann may be decreed to deliver up all books, deeds, vouchers, documents, or other papers whatever, in his possession or custody, relating to the said real estate of the said John Nicholson, deceased, or wherein he had any interest. And that your orators may have such other relief in the premises, as the nature of their case requires.

May it please your honors to grant unto your orators a writ of subpoena, to be directed to the said David Mann, and his confederates when discovered, commanding them under a certain penalty therein to be expressed, to be and appear before this honorable court, at a certain day therein to be appointed, full, true, and perfect answers to make to all and singular the premises, and to stand to abide and perform such decree as shall be made therein, and may be agreeable to equity and good conscience.

And your orators will ever pray, &c.

C. J. INGERSOLL.

A true copy,

D. CALDWELL, Clerk C. C.

April 3, 1827.

Laid on the table.

\* The secretary of the commonwealth being introduced, presented a message from the governor, which was read as follows, viz,

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts and resolution of the general assembly, and directed the secretary of the

commonwealth to return them to the houses in which they respectively originated, viz..

No. 181. "An act, authorising the Dauphin and Susquehanna Coal Company to make Stony Creek, in Dauphin county, a slack water navigation, and supplementary to an act entitled, An act to incorporate the Dauphin and Susquehanna coal company, passed April the fifth, eighteen hundred and twenty-six."

No. 264. "An act to erect the town of Alexandria, in the county of Huntingdon, into a borough."

No. 260 "An act to authorise the commissioners of Dauphin county, to establish a public school in the borough of Harrisburg, on the Lancasterian system."

No. 270. "An act to incorporate the Oxford rail road company of Chester county."

No. 261. "An act authorising a re-examination and settlement of the accounts of Joseph M'Cullough, a supervisor in Jefferson county."

No. 290. "An act for the relief of William Arnold, late a supervisor of Luzerne township, in the county of Fayette, and for other purposes."

No. 256. "An directing the commissioners of Venango county to raise a sum of money to extinguish a debt due the county of Warren."

No. 279. "A supplement to the several acts for the inspection of staves and heading."

No 252. "An act to establish a bank in the county of Lebanon, and for other purposes."

No. 251. "Resolution relative to the services of Governor Carroll, during the late war."

J. ANDW. SHUIZE.

*Harrisburg, April 11, 1827.*

Laid on the table.

The clerk of the House of Representatives being introduced, returned the bills entitled

No. 77. "A supplement to the act entitled an act to incorporate the Lehigh Coal and Navigation Company, passed 13th February, 1822."

No. 103. "A supplement to the act entitled an act for the relief of Samuel Richards and Moses M'Cormick, and to authorise Daniel Beckly and others to convey a lot of ground."

No. 49. "An act for the relief of John Newman, a deaf and dumb person."

No. 112. "An act for the relief of the sureties of William Hamilton, deceased."

No. 102. "An act for the relief of Willint Alexander, late a supervisor of Spring township, in the county of Centre,"

No. 145. "An act to enable Abraham Sebolt, surviving trustee, to sell a certain Methodist meeting house in Jonestown, Lebanon county."

No. 156. "An act for the relief of Elizabeth Bison, widow of Charles Bison, a soldier of the revolution."

No. 69. "An act to establish an academy in the town of Mifflinburg, in the county of Union."

No. 80. "An act to incorporate the borough of Selins Grove, in Union county, and the town of Berlin, in the county of Somerset."

No. 151. "A supplement to an act entitled an act for the promotion of agriculture and domestic manufactures."

No. 178. "A further supplement to the act entitled an act for the regulation of the militia of this commonwealth."

No. 142. "An act for the relief of Charles Mitman, a soldier of the revolution."

No. 111. "An act to repeal part of an act, passed March 15th, 1826, authorising James Bell and Evan Thomas to build a bridge over Smithfield creek, in Northampton county."

And informed that the House of Representatives have passed the first seven without, and the latter six with amendments, in which the concurrence of the senate is requested.

Said amendments were read the first time,

And further informed that the House of Representatives have concurred in the amendments by the Senate to the bill from the House of Representatives, No. 325, entitled

"An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war."

And that the House of Representatives have concurred in the amendments by the Senate, to the bill from the House of Representatives, No. 84, entitled

"A act concerning the backing or endorsing warrants by Justices of the Peace,"

With amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

And further informed that the House of Representative have non concurred in the amendments by the Senate to the bill from the House of Representatives, No. 326, entitled

"An act authorising the Secretary of the Land Office to issue patents to Archippus Parrish, John Stanley, and others, for certain lands in the county of Susquehanna.

And that the House of Representatives have appointed Messrs. Meredith, Wise, and Boyer a committee to confer with a similar committee of the Senate, on the said amendment.

Mr. Knight, from the committee on roads, bridges and inland navigation, to whom was committed bill No. 293, from the House of Representatives, entitled

"An act authorising the reviewing and laying out certain state roads, and for other purposes,"

Reported bill No. 327, with a similar title.

Mr. Hunt, from the committee on claims, to whom was committed bill No. 321, from the House of Representatives, entitled

"An act granting compensation for donation lands to sundry soldiers and heirs of soldiers of the revolutionary war,"

Reported bill No. 328, with a similar title.

Said bills were read the first time.

Bill No. 276, from the House of Representatives, entitled

"An act for the relief of Joseph H. Fennemore,"

Was read the third time.

The same being under consideration,

A motion was made by Mr. Hawkins and Mr. Ogle, and unanimously agreed to,

To amend the same, by striking out of the second section all that follows the enacting clause, and inserting the following: "That the auditor general be and he is hereby authorised to settle and adjust the account of Bartholomew Graves, for supplying the officers of the second brigade, first division, Pennsylvania militia, with refreshment and sustenance while sitting as a general court martial, on the trial of lieutenant colonel Sylvester Roberts, of the one hundredth regiment, in said brigade, in the year 1822, upon the same principles that similar accounts are settled under the provisions of the act entitled, "An act for the regulation of the militia of this commonwealth," on his producing satisfactory vouchers of his having furnished the same, that he has not been compensated therefor, and that the same is reasonable and just.

On the question,

Shall this bill pass?

A motion was made by Mr. Hawkins and Mr. Ogle,

That the Senate resolve itself into a committee of the whole, for the purpose of striking out the second section of the bill.

Which was not agreed to.

A motion was then made by Mr. Knight and Mr. Ogle,

To amend the bill by adding thereto the following, to be called section 4.

And be it further enacted by the authority aforesaid, That hereafter members of courts martial to be assembled under the laws of this commonwealth, shall be entitled to receive the sum of one dollar per day, and no more, each, for each day necessarily attending as a member of the court martial, in lieu of all personal and contingent expenses.

Which was not agreed to.

The question recurring,  
Shall this bill pass?

The yeas and nays were required by Mr. King and Mr. Sutherland, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Duncan, Hambright, Hamilton, Hay, Leech, Ogle,	Messrs. Petrikin, Power, Ryon, Schall, Seltzer, Sullivan, Sutherland, Mahon, Speaker, 16,
NAYS.	NAYS.
Messrs. Garber, Hawkins, Herbert, Hunt, Kerlin,	Messrs. King, Knight, Moore, Ray, 9.

So it was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Bill No. 360, from the House of Representatives, entitled .

"An act for the relief of Nathaniel Patterson, inspector of the 1st brigade, 15th division, Pennsylvania militia; and for the relief of Nathaniel W. Sample, junior, inspector of the 2d brigade, 4th division Pennsylvania militia."

Was read the third time.

The same being under consideration,

A motion was made by Mr. Hamilton and Mr. Power, and unanimously agreed to,

To amend the bill in the second section, by inserting after the word "him," where it occurs the first time, in the fifteenth line, these words: "and the officers composing the court martial," and by inserting after the word "him," where it occurs the second time, in the same line, the words "and said officers."

On the question,  
Shall this bill pass?

A motion was made by Mr. Hawkins and Mr. Ray,

To postpone the question together with the bill until to-morrow.  
Which was agreed to.

Bill No. 303, from the House of Representatives, entitled  
 "An act granting a sum of money in aid of opening and improving a certain state road therein mentioned,"

Was read the third time.

On the question,  
 Shall this bill pass?

The yeas and nays were required by Mr. Garber and Mr. Hawkins, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Duncan, Dunlop, Emlen, Hambright, Hamilton, Hay, Logan, Moore,	Messrs. Ogle, Petrikin, Fower, Ray, Ryon, Schall, Seltzer, Sutherland, Mahon, Speaker, 18.
NAYS.	NAYS.
Messrs. Allshouse, Garber, Hawkins, Hunt, Kerlin,	Messrs. King, Knight, Leech, Sullivan, 9.

So it was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The clerk of the House of Representatives being introduced, returned the bills, entitled

No. 83. "An act to authorise the trustees of Nancy Wharton to sell and convey certain property."

No. 226. "Resolution recommending to county commissioners to furnish children educated at the public expense with Rogers' Biographical Dictionary."

No. 82. "An act for the relief of Metal township, Franklin county."

No. 99. "An act to incorporate the towns of Jefferson and Hamilton, in Greene county. into a borough."

No. 114. "A further supplement to the act entitled an act for holding special courts of common pleas."

No. 107. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer"

in the county of Mercer, through Greenville, to the line of the state of Ohio, at Wm. Mossman's, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio."

And informed that the House of Representatives have passed the first two without, and the remaining four with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

He also presented an extract from the journal of that house, which was read as follows, viz:

*In the House of Representatives,  
April 9, 1827.*

On motion,

Ordered. That Mr. Cooper be a member, in the room of Mr. Irwin, of the committee appointed to confer with a committee of the Senate on the amendments to the bill No. 242, entitled

"An act abolishing the Middle, Southern and Lancaster district of the supreme court, and establishing one at Harrisburg."

Laid on the table.

A motion was made by Mr. Ryon and Mr. Power, and read as follows:

Resolved, That the Speaker draw his warrant on the state treasurer, in favor of the Clerk of the Senate, for one hundred dollars; in favor of the Assistant Clerks, for seventy-five dollars each; in favor of the Sergeant-at-Arms and Doorkeeper, for fifty dollars each, and in favor of the Assistant Doorkeepers, for twenty-five dollars each, as an extra compensation for the faithful discharge of their duties during the present session.

On motion of Mr. Ogle and Mr. Hamilton,

Said resolution was read the second time.

The same being under consideration,

A motion was made by Mr. Ogle and Mr. Hamilton,

To amend the same, by striking therefrom the words "twenty-five, and inserting in lieu the word "thirty."

Which was agreed to.

On the question,

Will the Senate adopt the resolution as amended?

The yeas and nays were required by Mr. Garber and Mr. Hamilton, and are as follow, viz.

YEAS.  
Messrs. Audenried,  
Dunlop,  
Emlen,  
Hambright,  
Hamilton,  
Hay,  
Kerlin,  
King,  
Logan,  
Ogle,

YEAS.  
Messrs. Petrikin,  
Power,  
Ray,  
Ryon,  
Schall,  
Seltzer,  
Sullivan,  
Sutherland,  
Mahon, Speaker,

Bill No. 303, from the House of Representatives, entitled  
 "An act granting a sum of money in aid of opening and improving a certain state road therein mentioned,"

Was read the third time.

On the question,  
 Shall this bill pass?

The yeas and nays were required by Mr. Garber and Mr. Hawkins, and are as follow, viz.

## YEAS.

Messrs. Audenried,  
 Duncan,  
 Dunlop,  
 Emlen,  
 Hambright,  
 Hamilton,  
 Hay,  
 Logan,  
 Moore,

## YEAS.

Messrs. Ogle,  
 Petrikin,  
 Fower,  
 Ray,  
 Ryon,  
 Schall,  
 Seltzer,  
 Sutherland,  
 Mahon, Speaker, 18.

## NAYS.

Messrs. Allshouse,  
 Garber,  
 Hawkins,  
 Hunt,  
 Kerlin,

## NAYS.

Messrs. King,  
 Knight,  
 Leech,  
 Sullivan, 9.

So it was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The clerk of the House of Representatives being introduced, returned the bills, entitled

No. 83. "An act to authorise the trustees of Nancy Wharton to sell and convey certain property."

No. 226. "Resolution recommending to county commissioners to furnish children educated at the public expense with Rogers' Biographical Dictionary."

No. 82. "An act for the relief of Metal township, Franklin county."

No. 99. "An act to incorporate the towns of Jefferson and Hamilton, in Greene county. into a borough."

No. 114. "A further supplement to the act entitled an act for holding special courts of common pleas."

No. 107. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer"



in the county of Mercer, through Greenville, to the line of the state of Ohio, at Wm. Mossman's, in a direction to the town of Kinsman; in the county of Trumbull, in the state of Ohio."

And informed that the House of Representatives have passed the first two without, and the remaining four with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

He also presented an extract from the journal of that house, which was read as follows, viz:

*In the House of Representatives,  
April 9, 1827.*

On motion,

Ordered. That Mr. Cooper be a member, in the room of Mr. Irwin, of the committee appointed to confer with a committee of the Senate on the amendments to the bill No. 242, entitled

"An act abolishing the Middle, Southern and Lancaster district of the supreme court, and establishing one at Harrisburg."

Laid on the table.

A motion was made by Mr. Ryon and Mr. Power, and read as follows:

Resolved, That the Speaker draw his warrant on the state treasurer, in favor of the Clerk of the Senate, for one hundred dollars; in favor of the Assistant Clerks, for seventy-five dollars each; in favor of the Sergeant-at-Arms and Doorkeeper, for fifty dollars each, and in favor of the Assistant Doorkeepers, for twenty-five dollars each, as an extra compensation for the faithful discharge of their duties during the present session.

On motion of Mr. Ogle and Mr. Hamilton;

Said resolution was read the second time.

The same being under consideration,

A motion was made by Mr. Ogle and Mr. Hamilton,

To amend the same, by striking therefrom the words "twenty-five, and inserting in lieu the word "thirty."

Which was agreed to.

On the question,

Will the Senate adopt the resolution as amended?

The yeas and nays were required by Mr. Garber and Mr. Hamilton, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Dunlop,  
Emlen,  
Hambright,  
Hamilton,  
Hay,  
Kerlin,  
King,  
Logan,  
Ogle,

YEAS.

Messrs. Petrikin,  
Power,  
Ray,  
Ryon,  
Schall,  
Seltzer,  
Sullivan,  
Sutherland,  
Mahon, Speaker,

YAYE.

NAYE.

Messrs. Allshouse,  
Garber,  
Hawkins,

Messrs. Knight,  
Moore,

5.

So it was determined in the affirmative.

Warrants were accordingly so drawn.

Bill No. 281, from the House of Representatives, entitled

"An act to erect the town of Elizabethtown, in the county of Lancaster, into a borough, and supplementary to the acts incorporating the towns of Williamsport and Jersey Shore, and for other purposes."

Was read the second time.

The sections were severally considered and agreed to.

The title was considered and agreed to, after being amended, by inserting after the word "Shore," these words "and the district of Southwark."

On motion of Mr. Hambright and Mr. Petrikin,

The rule which prohibits bills being twice read on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Bill No. 282, from the House of Representatives, entitled

"An act to improve the Norwegian creek in Schuylkill county,"

Was read the second time.

The sections were severally considered and agreed to.

The title being under consideration,

A motion was made by Mr. Knight and Mr. Audenried,

To postpone the title for the present, for the purpose of introducing the following, to be called section 7:

"And be it further enacted by the authority aforesaid, That nothing in this act contained, shall be construed to allow the said John Pott and Jacob Alter, their heirs and assigns or any person or persons for or under them or any of them, to take the property or materials of any person or persons, without paying a reasonable compensation therefor."

Which was agreed to.

The manuscript section was then considered and agreed to.

The title was agreed to, and

Ordered, That said bill be prepared for the third reading.

Bill No. 67, from the House of Representatives, entitled  
 "An act to declare the uses of certain bonds,"  
 Was read the second time.

On motion of Mr. Ogle and Mr. Ray,  
 The rule which prohibits bills being read twice on the same day,  
 being in this case dispensed with, said bill was read the third time  
 and passed.

Ordered, That the Clerk return said bill to the House of Repre-  
 sentatives, with information that the Senate have passed the same  
 with amendments, in which the concurrence of that house is re-  
 quested.

On motion of Mr. Ray and Mr. Ogle,  
 The Senate resolved itself into a committee of the whole, Mr.  
 Dunlop in the chair, on bill No. 319, from the House of Repre-  
 sentatives, entitled

"An act for the relief of the heirs of Elisha Matthewson."

After some time,  
 The committee rose, and the chairman reported the bill with  
 amendments.

On motion of Mr. Ryon and Mr. Ogle,  
 Said bill was read the second time.

The first section being under consideration,

A motion was made by Mr. King and Mr. Herbert  
 To amend the same, by striking out of the seventh line the  
 words "in a suit," and inserting in lieu the following: "by vir-  
 tue of process issued in the case;" and by inserting in the fifteenth  
 line, after the word "certificate" the words "of the balance."  
 Which was agreed to.

A motion was then made by Mr. Knight and Mr. Sullivan,  
 To amend the section by inserting, after the word "duties,"  
 in the twenty-third line, the following: "in full for pay and per-  
 sonal expenses."

Which was agreed to.

A motion was then made by Mr. Dunlop and Mr. King,  
 Further to amend the section, by striking out of the 12th line  
 the words "and in making such," and inserting in lieu the  
 word "which," and by striking out of the 12th and 13th lines,  
 the words, "they shall have regard to the situation of the property  
 as it was," and inserting in lieu the following: "shall be made ac-  
 cording to the value of the property."

Which was agreed to.

On the question,  
 Will the Senate agree to the section as amended?

The yeas and nays were required by Mr. Garber and Mr. Haw-  
 kins, and are as follow, viz.

The title being under consideration,

A motion was made by Mr. Moore and Mr. Petrikin,

To postpone the title for the present, for the purpose of introducing the following, to be called section 2:

And be it further enacted by the authority aforesaid, That the marriage contract entered into by and between Charles Wattles and Alida his wife, late Alida M. Kitchin, both of the county of Columbia, be and the same is hereby annulled and made void, and the parties released and discharged from the said contract, and from all the legal duties and obligations arising therefrom, as fully, effectually and absolutely, as if they had never been joined in marriage, Provided, That nothing herein contained, shall be construed to render illegitimate the children of the said marriage.

Which was not agreed to.

The title was then agreed to, after being amended by striking therefrom the following: "and George Foreakers and Rebecca his wife."

On motion of Mr. Seltzer and Mr. Ryon,

The rule which prohibits the reading of bills twice on the same day, being in this case dispensed with, the bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

On motion of Mr. Dunlop and Mr. Petrikin,

The Senate resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No. 277, from the House of Representatives, entitled

"An act to enable the Chambersburg and Easton water companies to raise a sum of money by way of lottery."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to morrow.

The clerk of the House of Representatives being introduced, returned the bills entitled

No. 157. "A supplement to the act entitled an act establishing an academy in the borough of Northampton, in Lehigh county, and granting a sum of money thereto."

No. 168. "An act to incorporate the town of Mifflinburg, in Union county."

No. 187. "An act to incorporate the Union academy at Doylestown."

And informed that the House of Representatives have passed the first without and the two latter with amendments, in which the concurrence of the Senate is requested.

YEAS.

YEAS.

Messrs. Allshouse,  
Audenried,  
Garber,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,  
Hunt,  
King,

Messrs. Leech,  
Moore,  
Power,  
Ray,  
Ryon,  
Schall,  
Seltzer,  
Sullivan,  
Sutherland,  
Mahon, Speaker, 20

NAYS.

NAYS

Messrs. Duncan,  
Dunlop,  
Emlen,  
Kerlin,

Messrs. Knight,  
Logan,  
Ogle,  
Petrikin, 8.

So it was determined in the affirmative.

The second section being under consideration,

A motion was made by Mr. Emlen and Mr. Logan,  
To amend the same by adding thereto the following proviso:

Provided, That nothing herein contained shall be construed to  
render illegitimate the children of the said marriage.

Which was agreed to.

On the question,

Will the Senate agree to the section as amended?

The yeas and nays were required by Mr. Petrikin and Mr  
Logan, and are as follow, viz.

YEAS.

YEAS.

Messrs. Hambright,  
Hamilton,  
Hawkins,  
Herbert,  
Knight,

Messrs. Leech,  
Moore,  
Power,  
Ryon,  
Sutherland, 10

NAYS.

NAYS.

Messrs. Allshouse,  
Duncan,  
Dunlop,  
Emlen,  
Garber,  
Hay,  
Hunt,  
Kerlin,  
King,

Messrs. Logan,  
Ogle,  
Petrikin,  
Ray,  
Schall,  
Seltzer,  
Sullivan,  
Mahon, speaker. 17

So it was determined in the negative.

The title being under consideration,

A motion was made by Mr. Moore and Mr. Petrikin,

To postpone the title for the present, for the purpose of introducing the following, to be called section 2:

And be it further enacted by the authority aforesaid. That the marriage contract entered into by and between Charles Wattlea and Alida his wife, late Alida M. Kitchin, both of the county of Columbia, be and the same is hereby annulled and made void, and the parties released and discharged from the said contract, and from all the legal duties and obligations arising therefrom, as fully, effectually and absolutely, as if they had never been joined in marriage, Provided, That nothing herein contained, shall be construed to render illegitimate the children of the said marriage.

Which was not agreed to.

The title was then agreed to, after being amended by striking therefrom the following: "and George Foreakers and Rebecca his wife."

On motion of Mr. Seltzer and Mr. Ryon,

The rule which prohibits the reading of bills twice on the same day, being in this case dispensed with, the bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

On motion of Mr. Dunlop and Mr. Petrikin,

The Senate resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No. 277, from the House of Representatives, entitled

"An act to enable the Chambersburg and Easton water companies to raise a sum of money by way of lottery."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again on to morrow.

The clerk of the House of Representatives being introduced, returned the bills entitled

No. 157. "A supplement to the act entitled an act establishing an academy in the borough of Northampton, in Lehigh county, and granting a sum of money thereto."

No. 163. "An act to incorporate the town of Mifflinburg, in Union county."

No. 187. "An act to incorporate the Union academy at Doylestown."

And informed that the House of Representatives have passed the first without and the two latter with amendments, in which the concurrence of the Senate is requested.

On motion,

Said amendments were twice read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

And that the House of Representatives have concurred in the amendments by the Senate, to the bills from the House of Representatives, entitled

No. 302. "An act granting a sum of money in aid of opening and improving a certain state road therein mentioned."

No. 67. "An act to declare the uses of certain bonds."

No. 319. "An act for the relief of the heirs of Elisha Matthewson."

No. 276. "An act for the relief of Joseph H. Fenemore."

No. 281. "An act to erect the town of Elizabethtown, in the county of Lancaster, into a borough; and supplementary to the acts incorporating the towns of Williamsport and Jersey Shore, and for other purposes."

Laid on the table.

On motion of Mr. Ogle and Mr. Ray,

The Senate adjourned until half past 3 o'clock, P M.

### ***SAME DAY—IN THE AFTERNOON.***

On motion of Mr. Hawkins and Mr. Garber,

The amendments by the House of Representatives to the amendments by the Senate, to bill No. 84, from the House of Representatives, entitled

"An act concerning the backing or indorsing warrants by justices of the peace,"

Together with the bill, were committed to the committee on the judiciary system.

On motion of Mr. Kerlin and Mr. Ryon,

Ordered, That Messrs. Kerlin, King and Hawkins be a committee to confer with a similar committee already appointed by the House of Representatives on the disagreement between the two houses, on the amendments to bill No. 326, from the House of Representatives, entitled

"An act authorising the secretary of the land office to issue patents to Archippus Parrish, John Stanley, and others, for certain lands in the county of Susquehanna."

Ordered, That the Clerk inform the House of Representatives accordingly.

"An act authorizing the reviewing and laying out certain state roads and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Garber and Mr. Ogle,

Said bill was read the second time, and

On motion of Mr. Ogle and Mr. Garber,

The rule which prohibits bills being read twice on the same day, was in this case dispensed with, and said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Mr. Hawkins, from the committee on the judiciary system, to whom was committed bill No. 222, from the House of Representatives, entitled

"An act vesting certain powers in the administrators of the estate of James Elliot, deceased,"

Reported bill No 329, with a similar title.

Said bill was read the first time.

Adjourned until 9 o'clock, to-morrow morning.

## THURSDAY, April 12, 1827.

The Clerk of the House of Representatives being introduced, returned the bills entitled as follow, viz.

No. 186. "An act to repeal the 8th, 9th and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31, 1825."

No. 147. "A supplement to the act entitled an act authorising a review of certain state roads."

No. 180. "An act to incorporate the rector, church wardens and vestrymen of the Episcopal church of St. Paul's, in Beaver county."



April 11.

THE SENATE.

973

YAYS.

NAYS.

Messrs. Allshouse,  
Audenried,  
Hambright,  
Hamilton,  
Knight,  
Leech,  
Logan,  
Ogle,

Messrs. Petrikin,  
Power,  
Ryon,  
Schall,  
Seltzer,  
Sullivan,  
Sutherland,

15

So it was determined in the negative.

A motion was then made by Mr. Sutherland and Mr. Logan,  
That the Senate concur in the said amendments.  
Which was agreed to.

Ordered, That the clerk inform the House of Representatives accordingly.

The clerk of the House of Representatives being introduced returned the bills entitled

No. 155. "An act to authorise the governor to incorporate the Shippenville and Foxburg turnpike road company."

No. 158. "An act to enable Stogdell Stokes to erect a bridge over Broadheads creek, in Northampton county."

No. 177. "An act to revoke the charter of the Northern Bank of Pennsylvania."

No. 164 "An act to enable Rosina Jacoby to convey certain real estate, and for other purposes."

No. 152. "An act authorising the administrators of Peter Anthony to sell and convey certain real estate, and for other purposes."

And informed that the House of Representatives have passed the first four without, and the last with amendments, in which the concurrence of the Senate is requested.

On motion,

Said amendments were twice read, considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

And further informed that the House of Representatives have concurred in the amendments by the Senate to the bill entitled

No. 318. "An act to annul the marriage contracts of Samuel Weston and Julia Ann his wife, and George Forakers and Rebecca his wife."

Laid on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Seltzer in the chair, on bill No. 327, from the House of Representatives, entitled

"An act authorizing the reviewing and laying out certain state-roads and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Garber and Mr. Ogle,

Said bill was read the second time, and

On motion of Mr. Ogle and Mr. Garber,

The rule which prohibits bills being read twice on the same-day, was in this case dispensed with, and said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Mr. Hawkins, from the committee on the judiciary system, to whom was committed bill No. 222, from the House of Representatives, entitled

"An act vesting certain powers in the administrators of the estate of James Elliot, deceased,"

Reported bill No 329, with a similar title.

Said bill was read the first time.

Adjourned until 9 o'clock, to-morrow morning.

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## THURSDAY, April 12, 1827.

The Clerk of the House of Representatives being introduced, returned the bills entitled as follow, viz.

No. 186. "An act to repeal the 8th, 9th and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31, 1825."

No. 147. "A supplement to the act entitled an act authorising a review of certain state roads."

No. 180. "An act to incorporate the rector, church wardens and vestrymen of the Episcopal church of St. Paul's, in Beaver county."

No. 135. "An act granting aid to Allegheny college, in Crawford county."

No. 185. "An act for the relief of Patrick Dickson and James Riley, soldiers of the revolution."

No. 210. "An act to authorise the committee of the estate of Charles Willing Hare to sell and convey real estate."

No. 148. "A supplement to an act entitled an act to erect the town of Indiana, in the county of Indiana, into a borough."

And informed that the House of Representatives have passed the first six without, and the latter with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. Ogle and Mr. Garber,  
Said amendments were twice read, considered and non-concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented an extract from the journal of that house, which was read as follows, viz.

*In the House of Representatives,  
April 12, 1827.*

On motion,

Resolved by the Senate and House of Representatives, That the rule of the two houses which prohibits the transmission of bills or resolutions within eight days previous to the adjournment, be dispensed with, so far as relates to the resolution relative to the case of the heirs of John Nicholson.

On motion of Mr. Kerlin and Mr. Ray,

The above resolution was twice read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, to wit;

No. 68. "A supplement to an act entitled "An act authorising the governor to incorporate the York Water Company, passed the 8th day of February 1816."

No. 257. "An act concerning agencies of insurance companies not authorised by the laws of this state, established within this commonwealth."

No. 292. "An act to incorporate the Philadelphia rail way dock company."

No. 801. "An act appropriating a sum of money to open a state road through part of Fayette county."

No. 49. "An act for the relief of John Neuman, a deaf and dumb person."

No. 77. "A supplement to the act entitled an act to incorporate the Lehigh coal and navigation company, passed 13th February, 1822."

No. 83. "An act to authorise the trustees of Nancy Wharton, to sell and convey certain property."

No. 88. "An act to declare the uses of certain bonds."

No. 102. "An act for the relief of William Alexander, late a supervisor of Spring township, in the county of Centre."

No. 103. "A supplement to the act entitled an act for the relief of Samuel Richards and Moses M'Cormick, and to authorise Daniel Beckley and others to convey a lot of ground."

No. 112. "An act for the relief of the sureties of William Hamilton, deceased."

No. 143. "An act to enable Abraham Sebolt, surviving trustee, to sell a certain Methodist meeting house, in Jonestown, Lebanon county."

No. 149. "An act to annul the marriage contract of Samuel Weston and Julia Ann his wife."

No. 156. "An act for the relief of Elizabeth Bison, widow of Charles Bison, a soldier of the revolution."

No. 157. "A supplement to the act entitled an act establishing an academy in the borough of Northampton, in Lehigh county, and granting a sum of money thereto."

No. 158. "An act to authorise Stogdell Stokes to erect a bridge over Broadhead's creek, in Northampton county."

No. 164. "An act to enable Rosina Jacoby, to convey certain real estate, and for other purposes."

No. 165. "An act to authorise the governor to incorporate the Shippenville and Foxburg turnpike road company."

No. 177. "An act to revoke the charter of the Northern Bank of Pennsylvania."

No. 226. "Resolution recommending to county commissioners to furnish children, educated at the public expense, with Roger's Biographical Dictionary."

No. 276. "An act for the relief of Joseph H. Fennemore and Bartholomew Graves."

No. 325. "An act for the relief of sundry soldiers, and widows of soldiers of the revolutionary war."

No. 281. "An act to erect the town of Elizabethtown, in the county of Lancaster, into a borough, and supplementary to the acts incorporating the towns of Williamsport and Jersey Shore, and the district of Southwark, and for other purposes."

No. 30. "An act to incorporate the borough of Selins Grove, in Union county, and the town of Berlin, in the county of Somerset."

No. 303. "An act granting a sum of money to aid in opening and improving a certain state road therein mentioned."

Laid on the table.

Mr. Ogle, from the committee on the militia system, to whom were committed the amendments by the House of Representatives to bill No. 178, entitled

"A further supplement to the act entitled an act for the regulation of the militia of this commonwealth,"

Reported the bill and amendments as committed

On motion,

Ordered, That said bill as amended by the House of Representatives be re-printed, and numbered 330.

The Senate resumed the third reading and consideration of bill No. 300, from the House of Representatives, entitled

"An act for the relief of Nathaniel Patterson, inspector of the first brigade, fifteenth division, Pennsylvania militia, and for the relief of Nathaniel W Sample, junior, inspector of the second brigade, fourth division, Pennsylvania militia."

The question recurring,

Shall this bill pass?

A motion was made by Mr. Hawkins and Mr. Ogle, and unanimously agreed to,

To amend the bill in the second section, by striking therefrom all that follows the word "hands," in the 7th line, to the word "aforesaid," inclusive, in the 14th line.

The question again recurring,

Shall this bill pass?

It was determined in the affirmative.

Bill No. 282, from the House of Representatives, entitled

"An act to improve the Norwegian creek in Schuylkill county,"  
Was read the third time.

The same being under consideration,

A motion was made by Mr. Audenried and Mr. Knight, and unanimously agreed to,

To amend the same in the 7th section, by inserting after the word "without," the word "first,"

On the question,

Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk return the said bills to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

A motion was made by Mr. Seltzer and Mr. Hay,

That the Senate reconsider the vote negating the first section of bill No. 278, from the House of Representatives, entitled

"An act for raising by way of lottery the sum of sixty thousand dollars for defraying the expenses of introducing water into the city of Lancaster."

Which was agreed to, and

On the question,  
Will the Senate agree to re-consider?

The yeas and nays were required by Mr. Duncan and Mr. Emlen, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Hambright, Hamilton, Hay, Herbert, Leech,	Messrs. Logan, Ogle, Schall, Seltzer, Sullivan, Sutherland, Mahon, Speaker. 14.
NAYS.	NAYS.
Messrs. Duncan, Emlen, Garber, Hawkins, Kerlin,	Messrs. Knight, Moore, Power, Ray, 9.

So it was determined in the affirmative.

The question recurring,  
Will the Senate agree to the section as amended?

A motion was made by Mr. Hamilton and Mr. Sutherland,  
To postpone the question, together with the bill, until to-mor-  
row.

Which was agreed to.

A motion was made by Mr. Ogle and Mr. Garber,  
That when the Senate adjourns, it will adjourn to meet again at  
three o'clock, P. M.

Which was agreed to.

of. The clerk of the House of Representatives being introduced,  
Presented for concurrence resolution No. 331, entitled,  
county Resolution relative to the employment of counsel by the audi-  
acts incor. neral in the case of the heirs of John Nicholson."

No. 80, resolution was read the first time.

Union county returned the bills entitled as follow:

No. 303. "6. "A supplement to the act entitled an act appointing  
and improving officers to investigate the concerns of the Northern Bank  
Laid on 'sylvania."

No. 208. "A supplement to an act entitled an act to erect the town of Morrisville into a borough."

No. 100. "An act appropriating a sum of money to the erection of a bridge over the Yellow Breeches creek."

No. 187. "A supplement to an act entitled an act for the improvement of the state."

No. 232. "An act for the relief of Hugh Means, a soldier of the revolution."

No. 98. "An act authorising the governor to incorporate the Allegheny and Conewango canal company."

No. 198. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the Centre of Vernon, in the county of Trumbull, in the state of Ohio."

And informed that the House of Representatives have passed the first five without, and the latter two with amendments, in which the concurrence of the senate is requested.

Said amendments were read the first time.

Agreeably to order,

The Senate again resolved itself into committee of the whole, Mr. Allhouse in the chair, on bill No. 302, from the House of Representatives, entitled

"An act to lay out and improve a road on the east side of the Susquehanna river, from the borough of Sunbury, through Georgetown, to Rogers' Ferry, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Knight and Mr. Ogle,

Said bill was read the second time.

The first section, (the fourth of the printed bill,) being under consideration,

A motion was made by Mr. Duacan and Mr. Leech,

To amend the same, by adding thereto the following: "and that it shall not be lawful for the commissioners, appointed under the authority of an act entitled an act to improve the navigation of the Susquehanna river, to make any new contracts during the ensuing season for the improvement of the Susquehanna river, between the town of Columbia and the town of Northumberland. And the said commissioners are hereby required and directed to confine the operations under the authority of the seventh section of the act entitled a supplement to an act entitled an act authorising the governor to incorporate four companies, for making an artificial road, from the town of Washington, in this state, to intersect the Harrisburg and Pittsburg turnpike, at or near the

town of Bedford, and to improve the Susquehanna, between the town of Columbia and the town of Northumberland, to complete the improvements already contracted for.

Which was agreed to.

On the question,

Will the Senate agree to the section, as amended?

The yeas and nays were required by Mr. Hamilton and Mr. Logan, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Duncan, Dunlop, Emlen, Garber, Hawkins, Hay, Hunt,	Messrs. Kerlin, Knight, Leech, Ogle, Power, Schall, Sullivan, 15.
NAYS.	NAYS.
Messrs. Audenried, Hambright, Herbert, King, Logan, Moore,	Messrs. Petrikin, Ray, Seltzer, Sutherland, Mahon, Speaker, 11.

So it was determined in the affirmative.

The title was considered and agreed to, after being amended by making it read "An act relative to the improvement of the Susquehanna river."

On motion of Mr. Knight and Mr. Garber,

The rule which prohibits bills being read twice on the same day, was in this case dispensed with, said bill was read the third time.

On the question,

Shall this bill pass?

A motion was made by Mr. Logan and Mr. Hambright,

To postpone the question for the present, and that the Senate resolve itself into a committee of the whole on said bill, for the purpose of amending the same by striking therefrom the word "Columbia," and inserting in lieu the word "Middletown."

Which was not agreed to.

The question recurring,

Shall this bill pass?

It was determined in the affirmative.



Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

On motion of Mr. Hawkins and Mr. Garber,

The Senate resolved itself into a committee of the whole, Mr. Hambright in the chair, on resolution No. 331, from the House of Representatives, entitled

"Resolution relative to the employment of counsel by the auditor general in the case of the heirs of John Nicholson."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Sutherland and Mr. Knight,

That the committee of the whole be discharged, and that the resolution, together with the communication of the auditor general on the subject, be committed to the committee on the judiciary system.

Which was agreed to.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No. 277 from the House of Representatives, entitled

"An act to enable the Chambersburg and Eastern water companies to raise a sum of money by way of lottery."

After some time,

The committee rose, the chairman reported progress, and the committee obtained leave to sit again this afternoon.

On motion of Mr. Ogle and Mr. Allshouse,

The Senate resolved itself into a committee of the whole, Mr. Hamilton in the chair, on bill No. 298, from the House of Representatives, entitled

"An act authorising a lottery for the payment of the debts due by turnpike companies in which the state holds stock."

After some time,

The committee rose, and the chairman reported the bill negatively.

On the question,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Kerlin and Mr. Petrikin,

To postpone the question, together with the bill, indefinitely.]

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Hawkins and Mr. Emlen, and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan, Emlen, Hawkins, Hunt, Kerlin, Knight,	Messrs. Leech, Moore, Petrikin, Power, Sullivan,
NAYS.	NAYS.
Messrs. Allshouse, Audenried, Dunlop, Garber, Hambright, Hamilton, Hay,	Messrs. Herbert, Logan, Ogle, Schall, Seltzer, Sutherland, Mahon, speaker,

11.

14.

So it was determined in the negative.

The question recurring,

Will the Senate agree to the report of the chairman of the committee of the whole?

A motion was made by Mr. Ogle and Mr. Garber,

To postpone the question, together with the bill, until to-morrow.

Which was agreed to:

On motion of Mr. Leech and Mr. Schall,

The Senate concurred in the amendments by the House of Representatives to bill No. 198, entitled

"An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the Centre of Vernon, in the county of Trumbull, in the state of Ohio."

Ordered, That the Clerk inform the House of Representatives accordingly.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives have concurred in the amendments by the Senate to the bill from the House of Representatives, entitled

No. 327. "An act authorising the reviewing and laying out certain state roads, and for other purposes."

No. 300. "An act for the relief of Nathaniel Patterson, inspector of the first brigade, fifteenth division, Pennsylvania militia, and for the relief of Nathaniel W. Sample, junior, inspector of the second brigade, fourth division, Pennsylvania militia.

And that the House of Representatives insist on their amendments non-concurred in by the Senate, to the bill from the Senate, entitled

No. 148. "A supplement to an act entitled, an act to erect the town of Indiana, in the county of Indiana, into a borough."

On motion of Mr. Garber and Mr. Ogle,

The Senate adhered to their non-concurrence in the amendments insisted on by the House of Representatives. to said bill.

Ordered, That the Clerk inform the House of Representatives accordingly.

Adjourned until 3 o'clock. P. M.

*SAME DAY—IN THE AFTERNOON.*

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Garber in the chair, on bill No 277, from the House of Representatives, entitled

"An act to enable the Chambersburg and Easton water companies to raise a sum of money by way of lottery."

After some time,

The committee rose, and the chairman reported the bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 328, from the House of Representatives, entitled

"An act granting compensation for donation lands, to sundry soldiers and heirs of soldiers of the revolutionary war.

After some time,

The committee rose and the chairman reported the bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hawkins in the chair, on bill No. 324, from the House of Representatives, entitled

"An act to authorise the establishment of a branch bank in the town of Pottsville, in Schuylkill county."

After some time,

The committee rose and the chairman reported the bill with amendments.

The clerk of the House of Representatives being introduced, returned the bills entitled

No, 248. "An act to incorporate the female hospitable society."

No 267. "An act authorising the governor to incorporate the Shamokin Canal Company "

No. 274 "An act authorising the executors of Peter Blecker to sell and convey certain real estate."

No. 1 & 2. "An act to incorporate the Pennsylvania and Ohio Canal company."

And informed that the House of Representatives have passed the first three without, and the latter with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

And further informed that the House of Representatives adhere to their amendments, adhered to by the Senate, to the bill from the Senate, entitled

"A supplement to an act entitled an act to erect the town of Indiana, in the county of Indiana, into a borough "

And have appointed Messrs. Lawson, Burden and Denny, a committee to confer with a similar committee of Senate, (if Senate should appoint such committee,) relative to said amendments.

Laid on the table.

Agreeably to order

The Senate resolved itself into a committee of the whole, Mr. Hoy in the chair, on bill No. 323, from the House of Representatives, entitled

"A supplement to an act entitled, an act for the relief of the poor," passed the 9th day of March, 1771. •

After some time,

The committee rose, and the chairman reported the bill without amendment.

• On motion of Mr. Knight and Mr. Petrikin,

The Senate resolved itself into a committee of the whole, Mr. Herbert in the chair, on bill No 311, from the House of Representatives, entitled

"An act making appropriations to defray certain expenses of government."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr Knight and Mr Seltzer,

Said bill was read the second time, and

On motion of Mr. Knight and Mr. Logan,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hunt in the chair, on resolution No. 317, from the House of Representatives, entitled

"An act relative to the distribution of money arising from Sheriffs and Coroner's sales, and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with an amendment.

On motion of Mr. Leech and Mr. Logan,

The amendments by the House of Representatives, to bill No. 107, entitled

"An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, through Greenville, to the line of the state of Ohio, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio,

Were read the second time, considered and concurred in, after being amended by striking therefrom all that follows the word "county," where it occurs the second time, and inserting in lieu the following: "and instead of John M'Culloch and Edward Carlton, of Butler county, named in the act passed the 10th day of April, 1826, as commissioners to receive subscriptions of stock in the Roseburg and Mercer turnpike road company, Michael M'Culloch and Edward Carlton, of Armstrong county, are hereby appointed to do and perform the several things therein mentioned.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Leech and Mr. Ogle,

The Senate proceeded to the second reading and consideration of the amendments by the House of Representatives to bill No. 178, entitled

"A further supplement to the act entitled an act for the regulation of the militia of this commonwealth."

The first to the fourth amendments, inclusive, were severally considered and concurred in.

The fifth amendment being under consideration,

A motion was made by Mr. Ogle and Mr. Logan,

To amend the same by striking out all that follows the word "That," and inserting the following: "so much of the second section of the act entitled, a further supplement to an act entitled, an act for the regulation of the militia of this commonwealth, passed the tenth day of April, 1826, as requires that the adjutant general shall annually visit the several arsenals of this commonwealth, be, and the same is hereby altered and repealed, so far as regards the arsenal at Meadville; which arsenal the adjutant general shall not be required to visit oftener than once in every three years.

Which was agreed to.

A motion was then made by Mr. Ogle and Mr. Logan,  
Further to amend the amendment by adding thereto the following:

And that so much of the fifth section of the same act as provides that the adjutant general shall not at the same time hold and exercise the office of brigade inspector, be and the same is hereby repealed, and the said provision is hereby made null and void; and all acts done by the said adjutant general, in his capacity of brigade inspector, and all rights pertaining to him by virtue of said office, be and the same are hereby placed in the same situation as if the said act of the 10th of April, 1826, had not been passed.

On the question,

Will the Senate agree so to amend the amendment?

The yeas and nays were required by Mr. Hawkins and Mr. Herbert, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Hamilton,		Messrs. Petrikin,	
Hay,		Power,	
Logan,		Seltzer,	7.
Ogle,			
NAYS.		NAYS.	
Messrs. Allshouse,		Messrs. Kerlin,	
Audenried,		King,	
Duncan,		Knight,	
Dunlop,		Leech,	
Emlen,		Moore,	
Garber,		Ray,	
Hambright,		Schall,	
Hawkins,		Sullivan,	
Herbert,		Sutherland,	
Hunt,		Mahon, speaker,	20.

So it was determined in the negative.

A motion was made by Mr. Knight and Mr. Logan,  
Further to amend the amendment by adding thereto the following:

And that hereafter the members of any court martial, to be assembled under and in virtue of any law or laws of this commonwealth, shall be entitled to receive out of the state treasury the sum of one dollar each per day, and no more, for each day necessarily spent in attending as a member of such court martial, as full compensation, and in lieu of all personal and contingent expenses.

On the question,

Will the Senate agree so to amend the amendment.

A motion was made by Mr. Logan and Mr. Ogle,

To amend the amendment to the amendment, by inserting after the word "dollar," the words "and fifty cents."

Which was not agreed to.

The question recurring,  
Will the Senate agree so to amend the amendment?  
It was determined in the affirmative.

On the question,  
Will the Senate agree to the fifth amendment as amended?  
It was determined in the affirmative, and  
The amendment, as amended, was then concurred in.  
The sixth amendment was considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Dunlop and Mr. Garber,  
The amendments by the House of Representatives to bill No. 82, entitled

"An act for the relief of Metal township, in Franklin county,  
Were read the second time, considered and non-concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Clerk of the House of Representatives being introduced,  
returned the bills, entitled

No. 289. "An act to change the style of the charter of the German congregation of Zelienople and Harmony, in Butler county."

No. 287. "An act changing the name of John Stephens Smith to Kenderton Smith."

No. 225. "An act to enable John Seager, administrator de bonis non, &c. of Peter Milier, deceased, to make title to certain real estate."

No. 161. "An act to aid in improving and repairing the state road between the Allegheny bridge and Beaver bridge."

No. 236. "An act appropriating a sum of money for the erection of a bridge over the river Schuylkill, near Hamburg, in the county of Berks."

No. 197. "An act incorporating the Lancaster county academy."

No. 237. "A supplement to an act, entitled an act, to alter an act, entitled an act for erecting the town of Carlisle, in the county of Cumberland, into a borough," &c.

No. 255. "An act for the relief of Andrew Long, a soldier of the revolution."

No. 264. "An act to enable the commissioners of the county of Philadelphia, to convey certain real estate."

No. 245. "An act incorporating the Trindle Spring German Reformed, Calvinist and German Lutheran congregations of Cumberland county."

And informed that the House of Representatives have passed the first nine without, and the last with amendments, in which the concurrence of the Senate is requested.

On motion,

Said amendments were twice read, considered and concurred in.

Adjourned until 9 o'clock to-morrow morning.

### FRIDAY, April 13, 1827.

Mr. Duncan, chairman of the joint library committee, made the following report:

*State library in account current with Stephen Duncan, Chairman of the joint library committee.*

#### DR.

By amount of appropriation of last year, drawn by chairman of the joint library committee,	\$267 84
Annual appropriation for 1826-7,	600 00
	<hr/>
	\$867 84
	<hr/>

#### CR.

No. 1. Paid Carey & Lea for books, per receipt,	\$174 96
2. Paid P. H. Nicklin for books, per receipt,	52 35
3. Paid J. W. Watson, for Nos. 34 to 37 of Dr. Clarke's bible and commentaries,	4 00
Paid librarian's salary, (134 days, at \$2 per day,)	268 00
Balance of appropriation to be applied to the purchase of books for the state library,	368 53
	<hr/>
	\$867 84
	<hr/>

Which was read and laid on the table.

Mr. Hawkins, from the committee on the judiciary system, to whom was committed the resolution No. 331, from the House of Representatives, entitled

"Resolution relative to the employment of counsel by the auditor general in the case of the heirs of John Nicholson, deceased."

Reported resolution No. 332, with a similar title.



Mr. Hawkins, from the committee on the judiciary system, to whom were committed the amendments by the House of Representatives to the amendments by the Senate, to bill No. 84, from the House of Representatives, entitled

"An act concerning the backing or endorsing warrants by justices of the peace,"

Reported the amendments as committed.

On motion of Mr. Hawkins and Mr. Ogle,  
Said amendments were read the second time.

The first amendment was considered and non concurred in.

The second and third amendments were considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

On motion of Mr. Knight and Mr. Power,  
The amendments by the House of Representatives to bill No. 162, entitled

"An act to incorporate the Pennsylvania and Ohio Canal Company,"

Were read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Garber and Mr. Ray,

Ordered, That Messrs. Garber, Kerlin and Herbert, be a committee to confer with a similar committee, already appointed by the House of Representatives, on the disagreement between the two houses, on the amendments by the House of Representatives, bill No. 148, entitled

"A supplement to an act entitled an act to erect the town of Indiana, in the county of Indiana, into a borough."

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the governor for his approbation, the bills numbered and entitled as follow, to wit:

No. 69. "An act to establish an academy in the town of Mifflinburg, in the county of Union."

No. 99. "An act to incorporate the towns of Jefferson and Hamilton, in Greene county, into a borough."

No. 111. "An act to repeal part of an act, passed March 15th, 1826, authorising James Bell and Evan Thomas to build a bridge over Smithfield creek, in Northampton county."

No. 142. "An act for the relief of Charles Mitten, a soldier of the revolution."

No. 147. "A supplement to the act entitled an act authorising a review of certain state roads."

No. 151. "A supplement to an act entitled, an act for the promotion of agriculture and domestic manufactures."

No. 152. "An act authorising the administrators of Peter Anthony to sell and convey certain real estate, and for other purposes."

No. 114. "A further supplement to the act entitled, an act for holding special courts of common pleas."

No. 135. "An act granting aid to Allegheny college, in Crawford county."

No. 163. "An act to incorporate the town of Mifflinburg, in Union county"

No. 180. "An act to incorporate the rector, church wardens and vestrymen of the Episcopal church of St. Paul's, in Beaver county."

No. 186. "An act to repeal the 8th, 9th and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31, 1825."

No. 210. "An act to authorise the committee of the estate of Charles Willing Hare to sell and convey real estate."

No. 243. "An act to authorise the trustees of a public school, in Douglas township, Berks county, to sell certain real estate."

No. 185. "An act for the relief of Patrick Dickson and James Riley, soldiers of the revolution."

No. 100. "An act appropriating a sum of money to the erection of a bridge over the Yellow Breeches creek."

No. 187. "A supplement to an act entitled an act for the improvement of the state."

No. 206. "A supplement to the act entitled an act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania."

No. 208. "A supplement to the act entitled an act to erect the town of Morrisville into a borough."

No. 232. "An act for the relief of Hugh Means, a soldier of the revolution."

No. 319. "An act for the relief of the heirs of Elisha Matthewson."

No. 187. "An act to incorporate the Union academy at Doylestown."

No. 198. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the centre of Vernon, in the county of Trumbull, in the state of Ohio."

Laid on the table.

On motion of Mr. Seltzer and Mr. Ray,

The Senate resumed the third reading of bill No. 166, from the House of Representatives, entitled

"An act to repeal an act establishing a district court in the county of Dauphin."

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Knight and Mr. Petrikin,  
To postpone the question, together with the bill indefinitely.  
Which was agreed to.

The secretary of the commonwealth being introduced, presented a message from the governor, which was read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts and resolution of the general assembly, and directed the secretary of the commonwealth to return them to the houses in which they respectively originated, viz.

No. 257. "An act concerning agencies of insurance companies not authorised by the laws of this state, established within this commonwealth."

No. 68. "A supplement to an act entitled "An act authorising the governor to incorporate the York Water Company, passed the 8th day of February 1816."

No. 801. "An act appropriating a sum of money to open a state road through part of Fayette county."

No. 177. "An act to revoke the charter of the Northern Bank of Pennsylvania."

No. 164. "An act to enable Rosina Jacoby, to convey certain real estate, and for other purposes."

No. 158. "An act to authorise Stogdell Stokes to erect a bridge over Broadhead's creek, in Northampton county."

No. 49. "An act for the relief of John Neuman, a deaf and dumb person."

county of Mercer, through Greenville, to the line of the state of Ohio, at William Mossman's, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio.

Laid on the table.

The Senate resumed the second reading and consideration of bill No. 278, from the House of Representatives, entitled

"An act for raising by way of lottery the sum of sixty thousand dollars for defraying the expenses of introducing water into the city of Lancaster."

The question recurring,

Will the Senate agree to the first section, as amended.

The yeas and nays were required by Mr. Emlen and Mr. Kerlin, and are as follow, viz.

## YEAS.

Messrs. Allshouse,  
Dunlop,  
Hambricht,  
Hamilton,  
Herbert,  
Leech,  
Logan,

## YEAS.

Messrs. Ogle,  
Petrikin,  
Schall,  
Seltzer,  
Sutherland,  
Mahon, Speaker. 13,

## NAYS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hawkins,  
Kerlin,  
King,

## NAYS.

Messrs. Knight,  
Moore,  
Power,  
Ray,  
Sullivan, 11.

So it was determined in the affirmative.

The remaining sections together with the title were severally considered and agreed to, and

Ordered that said bill be prepared for the third reading.

A motion was made by Mr. Sutherland and Mr. Logan,

That the rule which prohibits bills being read twice on the same day, be in this case dispensed with, and that the Senate proceed to the third reading of said bill.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Kerlin and Mr. Power, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Dunlop, Hambright, Hamilton, Herbert, Leech, Logan,	Messrs. Moore, Ogle, Petrikin, Schall, Seltzer, Sutherland, Mahon, Speaker, 14
NAYS.	NAYS
Messrs. Duncan, Emlen, Garber, Hawkins, Hay, Kerlin,	Messrs. King, Knight, Power, Ray, Sullivan, 11

There not being a majority, as required by the 24th rule, it was determined in the negative.

Bill No. 277, from the House of Representatives; entitled

"An act to enable the Chambersburg and Easton water companies to raise a sum of money by way of lottery."

Was read the second time.

The first section, (the second of the printed bill,) being under consideration,

A motion was made by Mr. Knight and Mr. Hawkins,

To amend the section by striking therefrom all that follows the enacting clause, and inserting in lieu the following:

That it is hereby declared that all lotteries are immoral, and injurious to the happiness of the citizens of this commonwealth, by diverting the energies of intellect and of wealth from objects more useful to them individually, their families and the community; and that therefore it is hereby enacted that all laws and parts of laws now in force in this state, authorising any lottery or lotteries be and the same are hereby repealed.

Mr. Sutherland desired the speaker to decide whether the motion made was not contrary to the 14th rule of the Senate.

Whereupon,

The Speaker's constituents being immediately interested in the passage of the bill proposed to be amended, he referred the decision to the Senate, agreeably to the 15th rule of the Senate.

On the question being put to the Senate.

Is the motion of the gentleman from Washington in order?

It was determined in the negative.

The first section being again under consideration,

A motion was made by Mr. Dunlop and Mr. Hamilton,

To postpone the consideration of the same for the present, for the purpose of introducing the following:

Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same, That the Chambersburg water company, incorporated by an act of the legislature on the twenty-fourth of March, one thousand eight hundred and seventeen, be and it is hereby authorised. by way of lottery, to raise a sum of money, not exceeding twenty-five thousand dollars, for the purpose of introducing and conveying water into the borough of Chambersburg, according to the said act of incorporation, which is hereby revived and continued, and that eight thousand dollars of the aforesaid sum, shall be paid by the Chambersburg water company aforesaid. to the town council of the borough of Carlisle, in the county of Cumberland, to be by them applied for the purpose of introducing and conveying water into said borough of Carlisle, to be paid pro rata as said sum of twenty-five thousand dollars shall be raised.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Duncan and Mr. Dunlop, and are as follow, viz..

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. King,	
Dunlop,		Logan,	
Hambright,		Ogle,	
Hamilton,		Sutherland,	
Herbert,		Mahon, speaker,	19
NAYS.		NAYS.	
Messrs. Audenried,		Messrs. Knight,	
Duncan,		Leech,	
Emlen,		Moore,	
Garber,		Petrikia,	
Hawkins,		Power,	
Hay,		Ray,	
Hunt,		Seltzer,	
Kerlin,		Sullivan,	

So it was determined in the negative.

The first section being again under consideration,

On the question,

Will the Senate agree to the section?

It was determined in the negative.

The third, fourth and fifth sections, inclusive, were considered and disagreed to.

The sixth section being under consideration,

On the question,

Will the Senate agree to the section?

**April 13.**

**THE SENATE**

**947**

The yeas and nays were required by Mr. King and Mr. Herbert, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Allahouse,		Messrs. Logan,	
Hambright,		Ogle,	
Hamilton,		Sutherland,	
Herbert,		Mahon, speaker.	9.
King,			
NAYS		NAYS.	
Messrs. Audenried,		Messrs. Knight,	
Duncan,		Leech,	
Dunlop,		Moore,	
Emlen,		Petrikín,	
Garber,		Power.	
Hawkins,		Ray,	
Hay,		Schall,	
Hunt,		Seltzer,	
Kerlin,		Sullivan,	13.

So it was determined in the negative.

The remaining sections, together with the title, were severally considered and disagreed to.

Bill No. 328, from the House of Representatives, entitled  
"An act granting compensation for donation lands, to sundry soldiers and heirs of soldiers of the revolutionary war,

Was read the second time, and

On motion of Mr. Ogle and Mr. Leech,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Bill No. 324, from the House of Representatives, entitled

"An act to authorise the establishment of a branch bank in the town of Pottsville, in Schuylkill county."

Was read the second time.

The first and only section being under consideration,

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. Emlen, and Mr. Kerlin and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried, Duncan, Hambright, Hamilton, King, Logan, Moore, Ogle,		Messrs. Petrikin, Power, Ray, Schall, Seltzer, Sullivan, Sutherland,	
		15.	
NAYS.		NAYS.	
Messrs. Allshouse, Dunlop, Emlen, Garber, Hawkins,		Messrs. Hay, Kerlin, Knight, Leech, Mahon, Speaker,	
		10.	

So it was determined in the affirmative.

The title was considered and agreed to, and

On motion of Mr. Ogle and Mr. Moore,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Bill No. 323, from the House of Representatives, entitled  
"A supplement to an act entitled, an act for the relief of the poor," passed the 9th day of March, 1771,  
Was read the second time.

The first section was considered and agreed to.

The second section being under consideration,  
A motion was made by Mr. Sutherland and Mr. Leech,  
To amend the same by inserting before the word "townships" in the 4th line, the word "cities," and by inserting after the word townships, in the same line, the words "districts or."  
Which was agreed to.

The section as amended was then agreed to.

The title was considered and agreed to.

On motion of Mr. Leech and Mr. Ogle,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.



Bill No. 517, from the House of Representatives, entitled  
 "An act relative to the distribution of moneys arising from Sher-  
 iff's and Coroner's sales, and for other purposes,"  
 Was read the second time.

The first section being under consideration,  
 A motion was made by Mr. Sutherland and Mr. Knight,  
 To amend the same by striking out of the tenth line the words  
 "to be absent," and by inserting at the end of the ninth line the  
 word "not"

Which was agreed to.

The section as amended was then agreed to.

The second and third sections were severally considered and  
 agreed to.

The fourth section being under consideration,  
 A motion was made by Mr. King and Mr. Sutherland,  
 To amend the same by striking therefrom all that follows the  
 word "act," in the ninth line to the end of the section."  
 Which was agreed to.

The section as amended was then agreed to.

The 5th section was considered and agreed to.

The title was agreed to, after being amended by striking there-  
 from the words "and for other purposes," and inserting in lieu  
 the following "and relative to the duties of the auditor general and  
 county commissioners."

Ordered that said bill be prepared for the third reading.

Agreeably to order,

The Senate resumed the consideration of the report of the chair-  
 man of the committee of the whole, negating the bill, No. 298,  
 from the House of Representatives, entitled

"An act authorising a lottery for the payment of the debts due  
 by turnpike companies in which the state holds stock."

The question recurring,

Will the Senate agree to the report of the chairman of the com-  
 mittee of the whole?

The yeas and nays were required by Mr. Garber and Mr. Emlen,  
 and are as follow, viz.

YEAS.

Messrs. Duncan,  
 Dunlop,  
 Emlen,  
 Hawkins,  
 Hay,  
 Hunt,  
 Kerlin,  
 King.

YEAS.

Messrs. Knight,  
 Leech,  
 Moore,  
 Petrikin,  
 Power,  
 Schall,  
 Sullivan,

## NAYS.

Messrs. Allshouse,  
Audenried,  
Garber,  
Hambricht,  
Hamilton,  
Herbert,

## NAYS.

Messrs. Logan,  
Ogle,  
Ray,  
Seltzer,  
Sutherland,  
Mahon, speaker, 12.

So it was determined in the affirmative.

The clerk of the House of Representatives being introduced, returned the bills entitled

No. 244. "An act to repeal in part an act entitled an act for the relief of sundry supervisors therein mentioned, and for other purposes."

No. 170. "A supplement to an act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia."

No. 209. "An act relating to the escheated estates of John M'Gray and John Weemly."

No. 57. An act incorporating the Theological Seminary of the General Synod of the Evangelical Lutheran Church of the United States.

And informed that the House of Representatives have passed the first without, and the three last with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

And further informed that the House of Representatives have non concurred in the amendments by the Senate to the bill No. 302, entitled

"An act to lay out and improve a road on the east side of the Susquehanna river from the borough of Sunbury, through Georgetown to Rodgers' ferry, and for other purposes,"

With the exception of the amendment to the fourth section in which they have concurred.

On motion of Mr. Garber and Mr. Hunt,

The Senate insisted on their amendment to said bill No. 302, non-concurred in by the House of Representatives, and

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion,

The amendments by the House of Representatives to bill No. 170, entitled

"A supplement to the act entitled an act to provide for the education of children at the public expense, in the city and county of Philadelphia,"

Were read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Leech and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Ray in the chair, on bill No. 329, from the House of Representatives, entitled

"An act vesting certain powers in the administrators of the estate of James Elliott, deceased."

After some time,

The committee rose and the chairman reported the bill without amendment.

On motion of Mr. Leech and Mr. Knight,

Said bill was read the second time, and

On motion of Mr. Leech and Mr. Hunt

The rule which prohibits the reading of bills twice on the same day, being in this case dispensed with, the bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

On motion of Mr. Sutherland and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Petrikin in the chair, on resolution No. 285, from the House of Representatives, entitled

"Resolution relative to the support of the Western Penitentiary."

After some time,

The committee rose, and the chairman reported the resolution with amendments.

On motion of Mr. Ogle and Mr. Garber,

The Senate adjourned until half past three o'clock, P. M.

### *SAME DAY—IN THE AFTERNOON.*

On motion of Mr. Kerlin and Mr. Hunt,

The Senate resolved itself into a committee of the whole, Mr. Kerlin in the chair, on bill No. 304, from the House of Representatives, entitled

"An act regulating election districts and for other purposes."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Knight and Mr. Kerlin,

The Senate resolved itself into a committee of the whole, Mr. Leech in the chair, on bill No. 316, from the House of Representatives, entitled

"An act relating to lotteries and lottery brokers."

After some time,

The committee rose, and the chairman reported the bill with amendments.

On motion of Mr. Hay and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Knight in the chair, on bill No 315, from the House of Representatives, entitled

"A supplement to the act entitled an act to provide for the erection of a poor house for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia, and relating to the poor of the borough of Erie, and certain townships in the county of Erie."

After some time,

The committee rose, and the chairman reported the bill without amendment.

On motion of Mr. Sutherland and Mr. Hay,

Said bill was read the second time, and

On motion of Mr. Hay and Mr. Seltzer,

The rule which prohibits bills being read twice on the same day, was in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The clerk of the House of Representatives being introduced, informed that the House of Representatives have concurred in the amendments by the Senate, to the bills, entitled

No. 324. "An act to authorise the establishment of a branch bank in the town of Pottsville, in Schuylkill county."

No. 323. "A supplement to an act entitled, an act for the relief of the poor," passed the 9th day of March, 1771.

And that the House of Representatives have concurred in the amendments by the Senate, to the amendments by this house, to the amendment by the Senate, to the bill from the House of Representatives, entitled

No. 311. "An act making appropriations to defray certain expenses of government."

And that the House of Representatives recede from amendment non concurred in by the Senate to the bill from the Senate, No. 84, entitled

"An act concerning the backing or endorsing warrants by Justices of the Peace."

And that the House of Representatives insist on their non-concurrence in the amendments by the Senate to the bill from the House of Representatives, No. 302, entitled

"An act to lay out and improve a road on the east side of the Susquehanna river, from the borough of Sunbury, through Georgetown, to Rogers' ferry, and for other purposes."

And have appointed Messrs. Scudder, Dorrance, and M'Reynolds, a committee to confer with a similar committee from the Senate, (if the Senate should appoint such committee,) on said amendments.

On motion.

Messrs. Kerlin, Ogle, and Hawkins, were appointed a committee to confer with the above committee.

Ordered, That the Clerk inform the House of Representatives accordingly.

And further informed that the House of Representatives have concurred in inserting the section granting a gratuity to John Taylor, and have non-concurred in all the other amendments to the bill No. 328, entitled

"An act granting compensation for donation land, to sundry soldiers and heirs of soldiers of the revolutionary war."

Laid on the table.

On motion of Mr. Kerlin and Mr. Seltzer,

The Senate adjourned until 8 o'clock to-morrow morning.

## SATURDAY, April 14, 1827.

The clerk of the House of Representatives being introduced, returned the bill entitled

No. 307. "A further supplement to an act entitled an act to appoint a board of canal commissioners."

And informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

He also informed that the House of Representatives have concurred in the amendment by the Senate to the bill entitled

No. 329. "An act vesting certain powers in the administrators of the estate of James Elliott, deceased."

Laid on the table.

Mr. Herbert, from the committee to compare bills and present them to the Governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on yesterday present-

ed to the governor, for his approbation, the bills numbered and entitled as follow, to wit:

No. 245. "An act incorporating the Triindle Spring, German Reformed Calvinist and German Lutheran congregations of Cumberland county."

No. 248. "An act to incorporate the female hospitable society."

No. 287. "An act changing the name of John Stephens Smith to Kenderton Smith."

No. 289. "An act to change the style of the charter of the German congregation of Zelienople and Harmony, in Butler county."

No. 264. "An act to enable the commissioners of the county of Philadelphia to convey real estate."

No. 255. "An act for the relief of Andrew Long, a soldier of the revolution"

No. 237. "A supplement to an act entitled an act for erecting the town of Carlisle, in the county of Cumberland, into a borough &c."

No. 225. "An act to enable John Seager, administrator de bonis non, &c. of Peter Miller, deceased, to make title to certain real estate."

No. 161. "An act to aid in improving and repairing the state road between the Allegheny bridge and Beaver bridge."

No. 197. "An act incorporating the Lancaster county academy."

No. 274. "An act authorising the executors of Peter Blecker, deceased, to sell and convey certain real estate."

No. 236. "An act appropriating a sum of money for the erection of a bridge over the river Schuylkill, near Hamburg, in the county of Berks."

No. 267. "An act authorising the governor to incorporate the Shamokin Canal Company."

No. 300. "An act for the relief of Nathaniel Patterson, inspector of the first brigade, fifteenth division, Pennsylvania militia, and for the relief of Nathaniel W. Sample, junior, inspector of the second brigade, fourth division, Pennsylvania militia."

No. 327. "An act authorising the reviewing and laying out certain state roads, and for other purposes."

No. 162. "An act to incorporate the Pennsylvania and Ohio Canal company."

No. 244. "An act to repeal in part an act entitled an act for the relief of sundry supervisors therein mentioned, and for other purposes."

No. 107. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the

county of Mercer, through Greenville, to the line of the state of Ohio, at William Mossman's, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio; and for other purposes.

No. 178. "A further supplement to the act entitled an act for the regulation of the militia of this commonwealth."

No. 170. "A supplement to an act entitled an act to provide for the education of children at the public expense, within the city and county of Philadelphia."

No. 282. "An act to improve the Norwegian creek in Schuylkill county."

No. 324. "An act to authorise the establishment of a branch bank in the town of Pottsville, in Schuylkill county."

Laid on the table.

Mr. Garber, from the committee on accounts, reported,

That they have settled the accounts of John Wyeth, printer of the bills of the present session, as follow:

<i>Senate of Pennsylvania,</i>		<i>To John Wyeth,</i>		Dr.
1827, April 14, to printing 602 pages bills, at \$1 06½	per page,			\$639 62½
10 extra copies of bill No. 24, 14 pages,				92
6 do. No. 27, 4 do.				16
6 do. No. 55, 4 do.				16
30 do. No. 131, 4 do.				80
20 do. No. 224, 4 do.				52
Index to bills,				10 00
Folding, stitching and delivering bills,				25 00
				<hr/>
				\$677 18½

Resolved, That the speaker draw his warrant on the state treasurer in favor of John Wyeth, printer of the bills of the Senate for the present session, for six hundred and seventy-seven dollars and eighteen cents, in full for the foregoing account.

On motion of Mr. Garber and Mr. Moore,

The resolution attached to the above report, was read the second time, considered and adopted, and a warrant was accordingly so drawn.

Bill No. 278, from the House of Representatives, entitled "An act for raising by way of lottery the sum of sixty thousand dollars for defraying the expenses of introducing water into the city of Lancaster,"

Was read the third time.

On the question,  
Shall this bill pass?

A motion was made by Messrs. Garber and Hawkins,  
To postpone the question, together with the bill, indefinitely.

On the question,

Will the Senate agree to this motion?

The yeas and nays were required by Mr. Garber and Mr. Hawkins, and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan, Emlen, Garber, Hawkins, Hunt, Kerlin,	Messrs. King, Knight, Moore, Power, Ray, 14.

NAYS.	NAYS.
Messrs. Allshouse, Hambright, Hamilton, Hay, Herbert, Logan, Ogle,	Messrs. Petrikin, Schall, Seltzer, Sullivan, Sutherland, Mahon, Speaker, 13.

So it was determined in the negative.

The question recurring,  
Shall this bill pass?

The yeas and nays were required by Mr. Duncan and Mr. Garber, and are as follow, viz:

YEAS.	YEAS.
Messrs. Allshouse, Hambright, Hamilton, Herbert, Logan, Ogle,	Messrs. Petrikin, Schall, Seltzer, Sutherland, Mahon, Speaker, 11.

NAYS.	NAYS.
Messrs. Duncan, Emlen, Garber, Hawkins, Hay, Hunt, Kerlin,	Messrs. King, Knight, Moore, Power, Ray, Sullivan, 16.

So it was determined in the negative.



Bill No. 317, from the House of Representatives, entitled  
"An act relative to the distribution of moneys arising from  
Sheriffs and Coroners sales, and for other purposes,"

Was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives have discharged the committee appointed to confer with a committee of the Senate on the amendments by the Senate on the bill No. 302, entitled

"An act to lay out and improve a road on the east side of the Susquehanna river, from the borough of Sunbury, through Georgetown, to Rogers' Ferry, and for other purposes."

And that the House of Representatives have receded from their non-concurrence in the said amendments.

Laid on the table.

On motion of Mr. Garber and Mr. Moore,

The following resolution was twice read, considered and adopted:

Resolved, That the Speaker draw his warrant on the state treasurer, in favor of John De Pui, Clerk of the Senate, for eighteen hundred dollars, for purchasing fuel, stationary, &c. for the next Senate, and to pay off contingent expenses, which may not be settled for the present session, he to account for the said sum to the next Senate.

A warrant was accordingly so drawn.

A motion was made by Mr. Ogle and Mr. Moore, and read as follows:

Resolved by the Senate of the commonwealth of Pennsylvania, That the commissioners appointed under the authority of the act of the 20th March, 1821, entitled "An act to provide for the erection of a penitentiary within the city and county of Philadelphia," are hereby respectfully requested to submit, by way of report, to the next Senate, their views on the revision of the penal code of this commonwealth, to suggest such alterations and changes as, in their opinion, should be made in the present system adapted to and modeled on the plan contemplated by the legislature in the erection of the penitentiary near Philadelphia, and to prepare and submit, for the consideration of the Senate, a system or body of rules, for the internal police government and treatment of persons confined or to be confined in the penitentiaries within this commonwealth.

On motion of Mr. Ogle and Mr. Moore,  
Said resolution was read the second time.

The same being under consideration,

A motion was made by Mr. Sutherland and Mr. Logan,

To amend the resolution by striking therefrom the following:  
 "by way of report to the next Senate their views on the revision of the penal code of this commonwealth, to suggest such alteration and changes as in their opinion should be made in the present system, adapted to and modelled on the plan contemplated by the legislature, in the erection of the penitentiary near Philadelphia, and to prepare and submit."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Audenried and Mr. Schall,

To postpone the question together with the amendment and resolution, indefinitely.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Logan and Mr. Sutherland, and are as follow, viz.

YEAS.

Messrs. Allshouse,  
 Audenried,  
 Hambright,  
 Hamilton,  
 Hay,  
 Herbert,

YEAS.

Messrs. Leech,  
 Logan,  
 Petrikin,  
 Schall,  
 Sutherland, 11.

NAYS.

Messrs. Duncan,  
 Emlen,  
 Garber,  
 Hawkins,  
 Hunt,  
 Kerlin,  
 King,  
 Knight,

NAYS.

Messrs. Moore,  
 Ogle  
 Power,  
 Ray,  
 Soltzer,  
 Sullivan,  
 Mahon, speaker, 15.

So it was determined in the negative.

The question recurring,

Will the Senate agree so to amend?

A division of the question was called for by Mr. Emlen, to end with striking out that part which relates to the revision of the penal code of this commonwealth.

On the question,

Will the Senate agree to the first part of the amendment?

The yeas and nays were required by Mr. Ogle and Mr. Logan, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Hambricht,  
Hamilton,  
Hay,  
Herbert,  
Leech,

YEAS.

Messrs. Logan,  
Petrikin,  
Schall,  
Sullivan,  
Sutherland, 11.

NAYS.

Messrs. Allshouse,  
Duncan,  
Emlen,  
Garber,  
Hawkins,  
Hunt,  
Kerlin,  
King,

NAYS.

Messrs. Knight,  
Moore,  
Ogle,  
Power,  
Ray,  
Seltzer,  
Mahon, Speaker, 15.

So it was determined in the negative.

On the question,  
Will the Senate agree to the second member of the amendment?  
It was determined in the negative.

On the question,  
Will the Senate adopt the resolution?

A motion was made by Mr. Sutherland and Mr. Petrikin,  
To postpone the question, together with the resolution, indefinitely.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Sutherland and Mr. Schall, and are as follow, viz.

YEAS.

Messrs. Audenried,  
Hambricht,  
Hamilton,  
Hay,  
Herbert,  
Leech,

YEAS.

Messrs. Logan,  
Petrikin,  
Schall,  
Seltzer,  
Sullivan,  
Sutherland, 12.

NAYS.

Messrs. Allshouse,  
Duncan,  
Emlen,  
Garber,  
Hawkins,  
Hunt,  
Kerlin,

NAYS.

Messrs. King,  
Knight,  
Moore,  
Ogle,  
Power,  
Ray,  
Mahon, Speaker. 14.

So it was determined in the negative.

On the question recurring,  
Will the Senate adopt the resolution?

A motion was made by Mr. Petrikin and Mr. Kerlin,  
To postpone the question for the present, for the purpose of  
amending the resolution by adding thereto the following proviso:

“Provided, That the said commissioners shall not demand or  
receive any compensation for the services performed in discharge  
of the duties requested by this resolution.”

Which was agreed to.

The amendment was then considered and agreed to.

On the question,  
Will the Senate adopt the resolution as amended?

It was determined in the affirmative.

On motion of Mr. Knight and Mr. Garber,  
The following resolution was twice read, considered and  
adopted.

Resolved, That the documents transmitted by the Governor of  
Georgia, and ordered to be printed in the German language, may  
be folded and stitched separate from the journal of the Senate; but  
no additional charge shall be made for folding and stitching, nor  
shall the compensation be otherwise increased thereby.

The secretary of the commonwealth being introduced, present-  
ed a message from the governor, which was read as follows,  
viz,

*To the Senate and House of Representatives of the Commonwealth  
of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the  
general assembly, and directed the secretary of the common-  
wealth to return them to the houses in which they respectively  
originated, viz.

No. 137. “An act to incorporate the Union academy at Doylestown.”

No. 519. “An act for the relief of the heirs of Elisha Matthewson.”

No. 180. “An act to incorporate the rector, church wardens  
and vestrymen of the Episcopal church of St. Paul’s, in Beaver  
county.”

No. 152. “An act authorising the administrators of Peter Anthony to sell and convey certain real estate.”

No. 232. “An act for the relief of Hugh Means, a soldier of the  
revolution.”

No. 151. “A supplement to an act entitled, an act for the pro-  
motion of agriculture and domestic manufactures.”

No. 135. "An act granting aid to Allegheny college, in Crawford county."

No. 69. "An act to establish an academy in the town of Millburg, in the county of Union, and for other purposes."

No. 146. "A supplement to the act entitled an act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania."

No. 135. "A supplement to the act entitled an act authorising a review of certain state roads."

No. 147. "A supplement to the act entitled an act to erect the town of Morrisville into a borough."

No. 186. "An act to repeal the 8th, 9th and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31, 1825."

No. 187. "A supplement to an act entitled an act for the improvement of the state."

No. 100. "An act appropriating a sum of money to the erection of a bridge over the Yellow Breeches creek."

No. 114. "A further supplement to the act entitled, an act for holding special courts of common pleas."

No. 111. "An act to repeal part of an act, passed March 15th, 1826, authorising James Bell and Evan Thomas to build a bridge over Smithfield creek, in Northampton county."

No. 142. "An act for the relief of Charles Mitman, and Samuel Beatty, soldiers of the revolution."

No. 210. "An act to authorise the committee of the estate of Charles Willing Hare to sell and convey real estate."

No. 243. "An act to authorise the trustees of a public school, in Douglas township, Berks county, to sell certain real estate."

No. 185. "An act for the relief of Patrick Dickson and James Riley, soldiers of the revolution."

No. 163. "An act to incorporate the town of Mifflinburg, in Union county"

No. 99. "An act to incorporate the towns of Jefferson and Hamilton, in Greene county, into a borough."

No. 198. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the centre of Vernon, in the county of Trumbull, in the state of Ohio."

No. 256. An act appropriating a sum of money for the erection of a bridge over the river Schuylkill, near Hamburg, in the county of Berks.

No. 289. "An act to change the style of the charter of the German congregation of Zelienople and Harmony, in Butler county."

No. 248. An act to incorporate the Female Hospitable Society."

No. 237. "An act incorporating the Lancaster county academy."

No. 214. "An act authorising the executors of Peter Blecker, deceased, to sell and convey certain real estate."

No. 161. "An act to aid in improving and repairing the state road between the Allegheny bridge and Heaver bridge."

No. 245. "An act incorporating the Trindle Spring German Reformed Calvinist and German Lutheran congregations, of Cumberland county."

No. 255. "An act for the relief of Andrew Long, a soldier of the revolution."

No. 27. "An act changing the name of John Stephens Smith, to Kenderton Smith."

No. 170. "A supplement to an act entitled, 'an act to provide for the education of children at the public expense, within the city and county of Philadelphia.'"

No. 162. "An act to incorporate the Pennsylvania and Ohio Canal Company."

No. 244. "An act to repeal in part an act entitled, 'an act for the relief of sundry supervisors therein mentioned, and for other purposes.'"

No. 330. "A further supplement to an act entitled, 'an act for the regulation of the militia of this commonwealth.'"

No. 165. "An act for the relief of Nathaniel Patterson, inspector of the 1st brigade, 15th division, Pennsylvania militia; and for the relief of Nathaniel W. Sample, junior, inspector of the 2d brigade, 4th division, Pennsylvania militia."

No. 232. "An act to improve the Norwegian creek, in Schuylkill county."

No. 264. "An act to enable the commissioners of the county of Philadelphia, to convey certain real estate."

No. 334. "An act to authorise the establishment of a branch bank in the town of Pottsville, in Schuylkill county."

No. 225. "An act to enable John Seager, administrator de bonis non, &c. of of Peter Miller, deceased, to make title to certain real estate."

No. 237. "A supplement to an act, entitled an act, to alter an act, entitled an act for erecting the town of Carlisle, in the county of Cumberland, into a borough, &c."

No. 327. "An act authorising the reviewing and laying out certain state roads, and for other purposes."

No. 107. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, through Greenville, to the line of the state of

Ohio, at William Messman's, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio, and for other purposes."

No. 259. "An act authorizing the governor to incorporate the Shamokin Canal Company."

J. ANDW. SHULZE.

Harrisburg, April 14, 1827.

Laid on the table.

On motion of Mr. Duncan and Mr. Logan,

The amendments by the House of Representatives to bill No. 307, entitled

"A further supplement to an act entitled an act to appoint a board of canal commissioners,"

Were read the second time.

The first amendment being under consideration,

A motion was made by Mr. Duncan and Mr. Kerlin,

To amend the amendment, by striking therefrom the following: "and such engineers as shall be employed for less time than one year, shall receive a sum not exceeding four dollars per day, payable monthly."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Duncan and Mr. Power, and are as follow, viz.

YEAS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hawkins,  
Hay,  
Kerlin,

NAYS.

Messrs. Alshouse,  
Andenried,  
Hambright,  
Hamilton,  
Herbert,  
Logan,  
Moore,

YEAS.

Messrs. Knight,  
Leech,  
Ogle,  
Power,  
Mahon, speaker, 11.

NAYS.

Messrs. Petrikin,  
Ray,  
Schall,  
Seltzer,  
Sullivan,  
Sutherland, 13.

So it was determined in the negative.

A motion was then made by Mr. Leech and Mr. Power,

To amend the amendment, by adding thereto the following: "and the canal commissioners are hereby authorized to employ engineers and assistant engineers on the best terms for which they can be

had, until such time as they can procure the service of competent engineers on the terms provided for by this act, if, in their opinion, it shall be found necessary, in order to prevent any injurious delay in the execution of the work."

Which was not agreed to.

A motion was made by Mr. Knight and Mr. Duncan,

To amend the amendment, by inserting after the word "engineer," where it occurs the fourth time, the words "not being principal engineers."

Which was not agreed to.

On the question,

Will the Senate concur in the first amendment?

The yeas and nays were required by Mr. Logan and Mr. Petrikin, and are as follow, viz.

## YEAS.

Messrs. Allabouse,  
Audenried,  
Hambright,  
Hamilton,  
Hawkins,  
Herbert,  
Hunt,

## YEAS.

Messrs. Logan,  
Moore,  
Petrikin,  
Ray,  
Seltzer,  
Sullivan, 18.

## NAYS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hay,  
Kerlin,  
Knight,

## NAYS.

Messrs. Leech,  
Ogle,  
Power,  
Sutherland,  
Mahon, Speaker, 11.

So it was determined in the affirmative.

The second amendment being under consideration,

A motion was made by Mr. Hawkins and Mr. Ogle,

To amend the amendment, by striking therefrom the following: "and the pay of the acting canal commissioners shall also be three dollars per day, from and after the first day of June next."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Knight and Mr. Logan and are as follow, viz.

## YEAS.

Messrs. Duncan,  
Hawkins,  
Hay,  
Kerlin,

## YEAS.

Messrs. Knight,  
Ogle,  
Power,  
Sutherland, 12.



## YAYS.

## NAYS.

Messrs. Allshouse,  
Audenried,  
Garber,  
Hambright,  
Hamilton,  
Herbert,  
Hunt,  
King,

Messrs. Logan,  
Moore,  
Petrikin,  
Ray,  
Seltzer,  
Sullivan,  
Mahon, speaker.

15.

So it was determined in the negative.

A motion was then made by Mr. Knight and Mr. Duncan,  
To amend the amendment, by striking out all that follows the  
enacting clause to the word "services," inclusive, where it occurs  
the last time.

Which was not agreed to.

The second amendment was then concurred in.

The remaining amendments were then considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

On motion of Mr. Knight and Mr. Leech,

The amendments by the House of Representatives to bill No. 98, entitled

"An act authorising the Governor to incorporate the Allegheny and Conango Canal Company."

Were read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Clerk of the House of Representatives being introduced, returned the bills, entitled

No. 288. "An act for the relief of John Barlet, a soldier of the revolution."

No. 308. "An act vesting in Rachael Vanfossen, the illegitimate child of Mary Ugle, deceased, the estate of said deceased.

No. 310. "A further supplement to an act entitled, An act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning."

No. 268. "An act for the relief of William Streepor, a soldier of the revolution."

No. 306. "An act for the relief of William Blair and William Leckey, administrators of James Arthurs, deceased, and the sureties of Samuel Mann, late collector of taxes in the city of Pittsburgh."

No. 90. "An act for the protection of sureties in certain cases."

No. 240. "An act concerning writs of Scire Facias."

No. 47. "A supplement to an act entitled, an act authorising the governor to incorporate the Lackawanna and Susquehanna rail road company."

No. 296. "A supplement to the act entitled, an act securing to mechanics and others, payment for their labor and materials in erecting any house or buildings within the city and county of Philadelphia."

And informed that the House of Representatives have passed the first five without, and the four last with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

On motion of Mr. Hawkins and Mr. Ogle,

The Senate again resolved itself into a committee of the whole, Mr. Hambricht in the chair, on resolution No. 332, from the House of Representatives, entitled

"Resolution relative to the employment of counsel by the auditor general in the case of the heirs of John Nicholson, deceased."

After some time,

The committee rose and the chairman reported the resolution without amendment.

A motion was made by Mr. Petrikin and Mr. Knight,

That when the Senate adjourns, it will adjourn to meet again at half-past three o'clock this afternoon.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Moore, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Moore,	
Hamilton,		Petrikin,	
Hay,		Ray,	
Hunt,		Seltzer,	
King,		Sutherland,	
Knight,		Mahon, speaker,	12.
NAYS.		NAYS.	
Messrs. Atkinson,		Messrs. Kerlin,	
Duncan,		Logan,	
Garber,		Ogle,	
Hambricht,		Power,	
Hawkins,		Sullivan,	11.
Herbert,			

So it was determined in the affirmative.

On motion,

The Senate adjourned until that hour.

**SAME DAY—IN THE AFTERNOON.**

Messrs Seltzer and King, at this time, asked and obtained leave of absence from Monday next to the end of the session.

On motion of Mr. Hunt and Mr. Kerlin,

The Senate insisted on their amendments to bill No. 328, from the House of Representatives, entitled

"An act granting compensation for donation lands, to sundry soldiers and heirs of soldiers of the revolutionary war, and

Ordered, That Messrs. Hunt, Allshouse and Leech be a committee to confer with a similar committee from the House of Representatives, (if that house shall appoint such committee,) on the amendments to the above bill.

On motion of Mr. Petrikin and Mr. Hambright,

The amendments by the House of Representatives, to bill No. 209, entitled

"An act relating to the escheated estates of John M'Gray and John Weemly,"

Were read the second time.

The first amendment was considered and concurred in.

The second amendment was considered and non-concurred in.

The third amendment being under consideration,

A motion was made by Mr. Ogle and Mr Garber,

That the Senate non-concur in the third amendment.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle, and Mr. Seltzer, and are as follow, viz.

**YEAS.**

Messrs. Duncan,  
Garber,  
Hunt,  
Kerlin,

**YEAS.**

Messrs. Moore,  
Ogle,  
Petrikin,  
Mahon, Speaker, 8.

**NAYS.**

Messrs. Allshouse,  
Audenried,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,

**NAYS**

Messrs. King,  
Knight,  
Power,  
Ray,  
Seltzer,  
Sullivan,  
Sutherland, 14.

So it was determined in the negative.

No. 47. "A supplement to an act entitled, an act authorising the governor to incorporate the Lackawanna and Susquehanna rail road company."

No. 296. "A supplement to the act entitled, an act securing to mechanics and others, payment for their labor and materials in erecting any house or buildings within the city and county of Philadelphia."

And informed that the House of Representatives have passed the first five without, and the four last with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

On motion of Mr. Hawkins and Mr. Ogle,

The Senate again resolved itself into a committee of the whole, Mr. Hambrigt in the chair, on resolution No. 332, from the House of Representatives, entitled

"Resolution relative to the employment of counsel by the auditor general in the case of the heirs of John Nicholson, deceased."

After some time,

The committee rose and the chairman reported the resolution without amendment.

A motion was made by Mr. Petrikin and Mr. Knight,

That when the Senate adjourns, it will adjourn to meet again at half past three o'clock this afternoon.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Moore, and are as follow, viz.

YEAS.		YEAS.	
Messrs. Audenried,		Messrs. Moore,	
Hamilton,		Petrikin,	
Hay,		Ray,	
Hunt,		Seltzer,	
King,		Sutherland,	
Knight,		Mahon, speaker,	12.
NAYS.		NAYS.	
Messrs. Atshouse,		Messrs. Kerlin,	
Duncan,		Logan,	
Garber,		Ogle,	
Hambrigt,		Power,	
Hawkins,		Sullivan,	11.
Herbert,			

So it was determined in the affirmative.

On motion,

The Senate adjourned until that hour.

**April 14.**

**THE SENATE.**

**SAME DAY—IN THE AFTERNOON.**

Messrs Seltzer and King, at this time, asked and obtained leave of absence from Monday next to the end of the session.

On motion of Mr. Hunt and Mr. Kerlin,

The Senate insisted on their amendments to bill No. 328, from the House of Representatives, entitled

"An act granting compensation for donation lands, to sundry soldiers and heirs of soldiers of the revolutionary war, and

Ordered, That Messrs. Hunt, Allshouse and Leech be a committee to confer with a similar committee from the House of Representatives, (if that house shall appoint such committee,) on the amendments to the above bill.

On motion of Mr. Petrikin and Mr. Hambright,

The amendments by the House of Representatives, to bill No. 209, entitled

"An act relating to the escheated estates of John M'Gray and John Weemly,"

Were read the second time.

The first amendment was considered and concurred in.

The second amendment was considered and non-concurred in.

The third amendment being under consideration,

A motion was made by Mr. Ogle and Mr Garber,

That the Senate non-concur in the third amendment.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle, and Mr. Seltzer, and are as follow, viz.,

**YEAS.**

Messrs. Duncan,  
Garber,  
Hunt,  
Kerlin,

**YEAS.**

Messrs. Moore,  
Ogle,  
Petrikin,  
Mahon, Speaker, 8.

**NAYS.**

Messrs. Allshouse,  
Audenried,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,

**NAYS**

Messrs. King,  
Knight,  
Power,  
Ray,  
Seltzer,  
Sullivan,  
Sutherland, 14.

So it was determined in the negative.

On the question recurring,  
Will the Senate adopt the resolution?

A motion was made by Mr. Petrikin and Mr. Kerlin,  
To postpone the question for the present, for the purpose of  
amending the resolution by adding thereto the following proviso:

“Provided, That the said commissioners shall not demand or  
receive any compensation for the services performed in discharge  
of the duties requested by this resolution.”

Which was agreed to.

The amendment was then considered and agreed to.

On the question,  
Will the Senate adopt the resolution as amended?

It was determined in the affirmative.

On motion of Mr. Knight and Mr. Garber,  
The following resolution was twice read, considered and  
adopted.

Resolved, That the documents transmitted by the Governor of  
Georgia, and ordered to be printed in the German language, may  
be folded and stitched separate from the journal of the Senate; but  
no additional charge shall be made for folding and stitching, nor  
shall the compensation be otherwise increased thereby.

The secretary of the commonwealth being introduced, present-  
ed a message from the governor, which was read as follows,  
viz,

*To the Senate and House of Representatives of the Commonwealth  
of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the  
general assembly, and directed the secretary of the common-  
wealth to return them to the houses in which they respectively  
originated, viz.

No. 137. “An act to incorporate the Union academy at Doyles-  
town.”

No. 519. “An act for the relief of the heirs of Elisha Matthew-  
son.”

No. 180. “An act to incorporate the rector, church wardens  
and vestrymen of the Episcopal church of St. Paul’s, in Beaver  
county.”

No. 152. “An act authorising the administrators of Peter An-  
thony to sell and convey certain real estate.”

No. 232. “An act for the relief of Hugh Means, a soldier of the  
revolution.”

No. 151. “A supplement to an act entitled, an act for the pro-  
motion of agriculture and domestic manufactures.”

No. 135. "An act granting aid to Allegheny college, in Crawford county."

No. 69. "An act to establish an academy in the town of Millburg, in the county of Union, and for other purposes."

No. 146. "A supplement to the act entitled an act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania."

No. 138. "A supplement to the act entitled an act authorising a review of certain state roads."

No. 147. "A supplement to the act entitled an act to erect the town of Morrisville into a borough."

No. 186. "An act to repeal the 8th, 9th and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31, 1825."

No. 187. "A supplement to an act entitled an act for the improvement of the state."

No. 100. "An act appropriating a sum of money to the erection of a bridge over the Yellow Breeches creek."

No. 114. "A further supplement to the act entitled, an act for holding special courts of common pleas."

No. 111. "An act to repeal part of an act, passed March 15th, 1826, authorising James Bell and Evan Thomas to build a bridge over Smithfield creek, in Northampton county."

No. 142. "An act for the relief of Charles Mitman, and Samuel Beatty, soldiers of the revolution."

No. 210. "An act to authorise the committee of the estate of Charles Willing Hare to sell and convey real estate."

No. 243. "An act to authorise the trustees of a public school, in Douglas township, Berks county, to sell certain real estate."

No. 185. "An act for the relief of Patrick Dickson and James Riley, soldiers of the revolution."

No. 163. "An act to incorporate the town of Millburg, in Union county."

No. 99. "An act to incorporate the towns of Jefferson and Hamilton, in Greene county, into a borough."

No. 198. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the centre of Vernon, in the county of Trumbull, in the state of Ohio."

No. 256. "An act appropriating a sum of money for the erection of a bridge over the river Schuylkill, near Hamburg, in the county of Berks."

No. 289. "An act to change the style of the charter of the German congregation of Zellenople and Harmony, in Butler county."

No. 248. "An act to incorporate the Female Hospitable Society."

No. 237. "An act incorporating the Lancaster county academy."

No. 214. "An act authorising the executors of Peter Blecker, deceased, to sell and convey certain real estate."

No. 161. "An act to aid in improving and repairing the state road between the Allegheny bridge and Beaver bridge."

No. 245. "An act incorporating the Trindle Spring German Reformed Calvinist and German Lutheran congregations, of Cumberland county."

No. 255. "An act for the relief of Andrew Long, a soldier of the revolution."

No. 27. "An act changing the name of John Stephens Smith, to Kenderton Smith."

No. 170. "A supplement to an act entitled, 'an act to provide for the education of children at the public expense, within the city and county of Philadelphia.'"

No. 162. "An act to incorporate the Pennsylvania and Ohio Canal Company."

No. 244. "An act to repeal in part an act entitled, 'an act for the relief of sundry supervisors therein mentioned, and for other purposes.'"

No. 330. "A further supplement to an act entitled, 'an act for the regulation of the militia of this commonwealth.'"

No. 165. "An act for the relief of Nathaniel Patterson, inspector of the 1st brigade, 15th division, Pennsylvania militia; and for the relief of Nathaniel W. Sample, junior, inspector of the 2d brigade, 4th division, Pennsylvania militia."

No. 232. "An act to improve the Norwegian creek, in Schuylkill county."

No. 264. "An act to enable the commissioners of the county of Philadelphia, to convey certain real estate."

No. 334. "An act to authorise the establishment of a branch bank in the town of Pottsville, in Schuylkill county."

No. 225. "An act to enable John Seager, administrator de bonis non, &c. of Peter Miller, deceased, to make title to certain real estate."

No. 237. "A supplement to an act, entitled an act, to alter an act, entitled an act for erecting the town of Carlisle, in the county of Cumberland, into a borough, &c."

No. 327. "An act authorising the reviewing and laying out certain state roads, and for other purposes."

No. 107. "An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, through Greenville, to the line of the state of



Ohio, at William Mowman's, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio, and for other purposes."

No. 259. "An act authorizing the governor to incorporate the Shamokin Canal Company."

J. AND W. SHULZE.

Harrisburg, April 14, 1827.

Laid on the table.

On motion of Mr. Duncan and Mr. Logan,

The amendments by the House of Representatives to bill No. 307, entitled

"A further supplement to an act entitled an act to appoint a board of canal commissioners,"

Were read the second time.

The first amendment being under consideration,

A motion was made by Mr. Duncan and Mr. Kerlin,

To amend the amendment, by striking therefrom the following: "and such engineers as shall be employed for less time than one year, shall receive a sum not exceeding four dollars per day, payable monthly."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Duncan and Mr. Power, and are as follow, viz.

YEAS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hawkins,  
Hay,  
Kerlin,

NAYS.

Messrs. Anshouse,  
Audenried,  
Hambright,  
Hamilton,  
Herbert,  
Logan,  
Moore,

YEAS.

Messrs. Knight,  
Leech,  
Ogle,  
Power,  
Mahon, speaker, 11.

NAYS.

Messrs. Petrikis,  
Ray,  
Schall,  
Seltzer,  
Sullivan,  
Sutherland, 15.

So it was determined in the negative.

A motion was then made by Mr. Leech and Mr. Power,

To amend the amendment, by adding thereto the following: "and the canal commissioners are hereby authorized to employ engineers and assistant engineers on the best terms for which they can be

had, until such time as they can procure the service of competent engineers on the terms provided for by this act, if, in their opinion, it shall be found necessary, in order to prevent any injurious delay in the execution of the work."

Which was not agreed to.

A motion was made by Mr. Knight and Mr. Duncan,

To amend the amendment, by inserting after the word "engineer," where it occurs the fourth time, the words "not being principal engineers."

Which was not agreed to.

On the question,

Will the Senate concur in the first amendment?

The yeas and nays were required by Mr. Logan and Mr. Petrikin, and are as follow, viz.

## YEAS.

Messrs. Allshouse,  
Audenried,  
Hambright,  
Hamilton,  
Hawkins,  
Herbert,  
Hunt,

## YEAS.

Messrs. Logan,  
Moore,  
Petrikin,  
Ray,  
Seltzer,  
Sullivan,

15.

## NAYS.

Messrs. Duncan,  
Emlen,  
Garber,  
Hay,  
Kerlin,  
Knight,

## NAYS.

Messrs. Leech,  
Ogle,  
Power,  
Sutherland,  
Mahon, Speaker,

16.

So it was determined in the affirmative.

The second amendment being under consideration,

A motion was made by Mr. Hawkins and Mr. Ogle,

To amend the amendment, by striking therefrom the following: "and the pay of the acting canal commissioners shall also be three dollars per day, from and after the first day of June next."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Knight and Mr. Logan and are as follow, viz.

## YEAS.

Messrs. Duncan,  
Hawkins,  
Hay,  
Kerlin,

## YEAS.

Messrs. Knight,  
Ogle,  
Power,  
Sutherland,

17.

NAYS

NAYS.

Messrs. Allshouse,  
Andenried,  
Garber,  
Hambright,  
Hamilton,  
Herbert,  
Hunt,  
King,

Messrs. Logan,  
Moore,  
Petrikin,  
Ray,  
Seltzer,  
Sullivan,  
Mahon, speaker. 15.

So it was determined in the negative.

A motion was then made by Mr. Knight and Mr. Duncan,  
To amend the amendment, by striking out all that follows the  
enacting clause to the word "services," inclusive, where it occurs  
the last time.

Which was not agreed to.

The second amendment was then concurred in.

The remaining amendments were then considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

On motion of Mr. Knight and Mr. Leech,

The amendments by the House of Representatives to bill No. 98, entitled

"An act authorising the Governor to incorporate the Allegheny and Conewango Canal Company."

Were read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Clerk of the House of Representatives being introduced, returned the bills, entitled

No. 288. "An act for the relief of John Barlet, a soldier of the revolution."

No. 308. "An act vesting in Rachael Vanfossen, the illegitimate child of Mary Ugle, deceased, the estate of said deceased.

No. 310. "A further supplement to an act entitled, An act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning."

No. 268. "An act for the relief of William Streeper, a soldier of the revolution."

No. 306. "An act for the relief of William Blair and William Leckey, administrators of James Arthurs, deceased, and the sureties of Samuel Mann, late collector of taxes in the city of Pittsburgh."

No. 90. "An act for the protection of sureties in certain cases."

No. 240. "An act concerning writs of Scire Facias."

No. 47. "A supplement to an act entitled, an act authorising the governor to incorporate the Lackawanna and Susquehanna rail road company."

No. 296. "A supplement to the act entitled, an act securing to mechanics and others, payment for their labor and materials in erecting any house or buildings within the city and county of Philadelphia."

And informed that the House of Representatives have passed the first five without, and the four last with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

On motion of Mr. Hawkins and Mr. Ogle,

The Senate again resolved itself into a committee of the whole, Mr. Hambricht in the chair, on resolution No. 332, from the House of Representatives, entitled

"Resolution relative to the employment of counsel by the auditor general in the case of the heirs of John Nicholson, deceased."

After some time,

The committee rose and the chairman reported the resolution without amendment.

A motion was made by Mr. Petrikin and Mr. Knight,

That when the Senate adjourns, it will adjourn to meet again at half-past three o'clock this afternoon.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Petrikin and Mr. Moore, and are as follow, viz.

YEAS.	YEAS.
Messrs. Audenried, Hamilton, Hay, Hunt, King, Knight,	Messrs. Moore, Petrikin, Ray, Seltzer, Sutherland, Mahon, speaker, 12.
NAYS.	NAYS.
Messrs. Allshouse, Duncan, Garber, Hambricht, Hawkins, Herbert,	Messrs. Kerlin, Logan, Ogle, Power, Sullivan, 11.

So it was determined in the affirmative.

On motion,

The Senate adjourned until that hour.

**April 14.**

## **THE SENATE.**

### **SAME DAY—IN THE AFTERNOON.**

Messrs Seltzer and King, at this time, asked and obtained leave of absence from Monday next to the end of the session.

On motion of Mr. Hunt and Mr. Kerlin,

The Senate insisted on their amendments to bill No. 328, from the House of Representatives, entitled

"An act granting compensation for donation lands, to sundry soldiers and heirs of soldiers of the revolutionary war, and

Ordered, That Messrs. Hunt, Allshouse and Leech be a committee to confer with a similar committee from the House of Representatives, (if that house shall appoint such committee,) on the amendments to the above bill.

On motion of Mr. Petrikin and Mr. Hambright,

The amendments by the House of Representatives, to bill No. 309, entitled

"An act relating to the escheated estates of John M'Gray and John Weemly,"

Were read the second time.

The first amendment was considered and concurred in.

The second amendment was considered and non-concurred in.

The third amendment being under consideration.

A motion was made by Mr. Ogle and Mr Garber,

That the Senate non-concur in the third amendment.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle, and Mr. Seltzer, and are as follow, viz.

#### **YEAS.**

Messrs. Duncan,  
Garber,  
Hunt,  
Kerlin,

#### **NAYS.**

Messrs. Allshouse,  
Audenrieth,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,

#### **YEAS.**

Messrs. Moore,  
Ogle,  
Petrikin,  
Mahon, Speaker, 8.

#### **NAYS.**

Messrs. King,  
Knight,  
Power,  
Ray,  
Seltzer,  
Sullivan,  
Sutherland, 14.

So it was determined in the negative.

The amendment was then concurred in.

The fourth and last amendment was considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

The amendments by the House of Representatives, to the bills, numbered and entitled as follow, were severally read the second time, considered and concurred in:

No. 47. "A supplement to an act entitled an act authorizing the governor to incorporate the Lackawanna and Susquehanna rail road company."

No. 240. "An act concerning writs of scire facias."

No. 296. "A supplement to the act, entitled an act securing to mechanics and others, payment for their labour and materials in erecting any house or other building within the city and county of Philadelphia."

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion,

The bill No. 304, from the House of Representatives, entitled "An act regulating election districts and for other purposes,"

Was read the second time, and

On motion of Mr. Ogle and Mr. Power,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Resolution No. 283, from the House of Representatives, entitled "Resolution relative to the support of the Western penitentiary,"

Was read the second time.

The sections were severally considered and agreed to.

The title was agreed to, after being amended so as to read, "Resolution relative to the eastern and western penitentiaries."

On motion of Mr. Ogle and Mr. Sutherland,

The rule which prohibits the reading of bills twice on the same day, being in this case dispensed with, the resolution was read the third time and passed.

Ordered, That the Clerk return the same to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that house is requested.

Adjourned until 9 o'clock, on Monday morning next.

**MONDAY, April 16, 1827.**

Mr Andenried presented two petitions of similar tenor, from sundry citizens of Schuylkill county, praying for the incorporation of coal companies.

Mr. Hay presented a remonstrance signed by the board of commissioners of the district of the Northern Liberties, remonstrating against the passage of a bill entitled, "an act to annul the trust of certain public landings and wharves in the Northern Liberties, Philadelphia county, vested in the incorporated district of the Northern Liberties, and for other purposes."

Said petitions and remonstrance were laid on the table.

On motion of Mr. Knight and Mr. Ogle,

The committee on roads, bridges and inland navigation were discharged from the further consideration of the petition of the stockholders in the Chambersburg and Bedford turnpike road, praying for the repeal of the supplement to their act of incorporation, passed at the last session of the legislature; and the petition praying that the turnpike roads from Philadelphia to Pittsburg, may be declared free of toll; and also, from the petition praying that an appropriation made to the Clifford and Wilkesbarre turnpike road may be applied to that part of said road, which lies between the Waterton and Great Bend turnpike road and Richardson's tavern.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on Saturday presented to the governor for his approbation, the bills numbered and entitled as follow, to wit:

No. 328. A supplement to an act, entitled 'an act for the relief of the poor,' passed the ninth day of March, one thousand seven hundred and seventy one.

No. 329. An act vesting certain powers in the administrators of the estate of James Elliott, deceased.

No. 315. A supplement to an act, entitled 'an act to provide for the erection of a poor house, for the better relief and employment of the poor, in the townships of Oxford and Lower Dublin, in the county of Philadelphia; and relating to the poor of the borough of Erie, and certain townships, in the county of Erie.'

No. 311. An act making appropriations to defray certain expenses of government.

No. 286. An act for the relief of John Barlet, a soldier of the revolution,

No. 308. An act vesting in Rachael Van Fossen, the illegitimate child of Mary Ogle, deceased, the estate of said deceased."

No. 310. A further supplement to an act entitled 'an act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning.

No. 268. An act for the relief of William Streper, a soldier of the revolution.

No. 306. An act for the relief of William Blair and William Lecky, administrators of Joseph Arthurs, deceased, and the sureties of Samuel Mann, late collector of taxes in the city of Pittsburgh.

No. 98. An act authorising the governor to incorporate the Allegheny and Conewango canal company.

No. 307. A further supplement to an act, entitled 'an act to appoint a board of canal commissioners.'

No. 296. A supplement to the act entitled an act securing to mechanics and others payment for their labor and materials, in erecting any house or other building within the city and county of Philadelphia, and for other purposes.

No. 47. A supplement to an act entitled 'an act authorising the governor to incorporate the Lackawanna and Susquehanna rail road company.

No. 240. An act concerning writs of scire facias.

Laid on the table.

Mr. Garber from the committee on accounts, Reported,

That they have examined and settled the accounts of the Clerk of the Senate, as follow:

Amount paid for postage,	\$605 90
Printers for newspapers,	351 84
For Stationary,	576 97½
Wood,	185 45
Gordon's Digest, 10 copies,	75 00
Sergeant and Rawle's Reports, 2 copies,	10 00
Bibles, 5 copies,	15 00
Merchandise,	60 72½
Cleaning,	29 12½
Book-binding,	17 28
Hauling wood, &c.	23 50
Candles,	16 00
Repairs to buildings and clock face,	26 62½
Plank,	20 00
Cabinet work,	14 00
Carpenter work,	4 75
Sundries,	45 84

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\$2,077 99

By warrant dated 22d December, 1826,

\$1,000

Do.

3d March, 1827,

1,000

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\$2,000 00

Balance due Clerk,

\$77 99.



Resolved. That the Speaker draw his warrant on the state treasurer, in favor of the Clerk of the Senate, for seventy-seven dollars and nine cents in full, for the balance of the foregoing account.

On motion,

Said report and resolution were twice read, considered and adopted.

A warrant was accordingly so drawn.

Mr. Kerlin, from the committee on accounts, made report: That they have examined and settled the account of the printers of the journal in the English language as follow:

*Senate of Pennsylvania, to Cameron & Krause, Dr.*

1826.

July	15.	To printing 5 quires of writs of election,	\$ 5 00
Nov.	14.	10 quires of circulars to editors,	10 00
Dec.	7.	300 copies of Governor's message,	20 00
	14.	8 quires members' residences,	8 00
		50 copies standing committees,	2 50
		50 copies of applicants for offices of Senate,	2 50
	18.	Lists of arrivals and departures of mails,	3 00
	20.	Usual number of inaugural addresses,	8 00

1827.

Jan.	1.	Auditor's report on banks,	40 00
	9.	1500 copies of first canal report,	237 00
Feb.	15.	5 quires yeas and nays,	5 00
		1500 copies of second canal report,	247 00
	24.	Auditor general's statement of canal commissioners' and engineers' expenses, (1500 copies,	40 00
March	12.	Trcziyulny's report on the Susquehanna, (1000 copies,) Bookbinder's bill, for folding and stitching 3000 copies of canal reports, at one dollar per hundred,	50 00
		Ditto, 1500 copies of engineers' expenses, and 1000 of Trcziyulny's report, at 25 cents per hundred,	6 25
		Ninety-nine sheets of Journal, including appendix, and 11 tables of rule and figure work, at \$20 per sheet,	1,980 00
		Titles of acts,	10 00
		Folding and delivering house numbers,	25 00
		Ditto, and stitching, 1050 copies at secretary's office,	105 00
		Folding and delivering appendix, 1250 copies at four cents a copy,	50 00

\$ 2884 25

CR, By overpayment last year,

20

By two warrants,

500

520 00

\$2,364 25

Resolved, That the Speaker draw his warrant on the state treasurer, in favor of Cameron and Krause, for two thousand, three hundred and sixty four dollars and twenty-five cents, the balance in full for printing the Journal of the Senate in the English language, the present session.

On motion of Mr. Kerlin and Mr. Ray,

The resolution attached to the above report, was read the second time considered and adopted, and

A warrant was accordingly so drawn.

The secretary of the commonwealth being introduced, presented a message from the governor, which was read as follows, viz,

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the general assembly, and directed the secretary of the commonwealth to return them to the houses in which they respectively originated, viz.

No. 307. "A further supplement to an act entitled an act to appoint a board of canal commissioners."

No. 315. "A supplement to the act entitled an act to provide for the erection of a poor house for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia, and relating to the poor of the borough of Erie, and certain townships in the county of Erie."

No. 323. "A supplement to an act entitled an act for the relief of the poor, passed the ninth day of March, 1771."

No. 311. "An act making appropriations to defray certain expenses of government."

No. 308. "An act vesting in Rachael Van Fossen, the illegitimate child of Mary Ogle, deceased, the estate of said deceased."

No. 268. "An act for the relief of William Streper, a [soldier of the revolution."

No. 288. "An act for the relief of John Barlet, a soldier of the revolution."

No. 47. "A supplement to an act entitled an act authorizing the governor to incorporate the Lackawanna and Susquehanna road company."

No. 240. "An act concerning writs of scire facias."

No. 506. "An act for the relief of William Blair and William Lecky, administrators of James Arthurs, deceased, and the sureties of Samuel Mann, late collector of taxes in the city of Pittsburgh."

No. 296. "A supplement to the act entitled an act securing to mechanics and others, payment for their labor and materials, in erecting any house or other building, within the city and county of Philadelphia, and for other purposes."

No. 310. "A further supplement to an act entitled an act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning."

No. 98. "An act authorising the governor to incorporate the Allegheny and Conewango canal company."

No. 329. "An act vesting certain powers in the administrators of the estate of James Elliott, deceased."

J. ANDW. SHULZE.

*Harrisburg, April 16, 1827.*

Laid on the table.

Bill No. 316, from the House of Representatives, entitled  
"An act relating to lotteries and lottery brokers."

Was read the second time.

The same being under consideration,  
A motion was made by Mr. Hawkins and Mr. Allshouse,  
To postpone the further consideration of the bill for the present.  
Which was not agreed to.

The first section being under consideration,  
A motion was made by Mr. Petrikin and Mr. Sutherland,  
To amend the section by striking therefrom the manuscript amendment.

On the question,  
Will the Senate agree so to amend?

A motion was made by Mr. Garber and Mr. Allshouse,  
To postpone the question, together with the bill, indefinitely

On the question,  
Will the Senate agree to the motion?

The yeas and nays were required by Mr. Sutherland and Mr. Garber, and are as follow, viz.

YEAS.

Messrs. Allshouse,  
Duncan,  
Garber,  
Hawkins,  
Herbert,  
Hunt,  
Kerlin,

YEAS.

Messrs. King,  
Knight,  
Logan,  
Moore,  
Power,  
Mahon, Speaker. 18.

## NAYS.

Messrs. Hambright,  
Hamilton,  
Hay,  
Leech,  
Ogle,

## NAYS.

Messrs. Petrikia,  
Ray,  
Sullivan,  
Sutherland,

9.

So it was determined in the affirmative.

Resolution No. 382, from the House of Representatives, entitled  
"Resolution relative to the employment of counsel by the auditor general in the case of the heirs of John Nicholson, deceased."  
Was read the second time, and

On motion of Mr. Sutherland and Mr. Leech,

The rule which prohibits bills being read twice on the same day, was in this case dispensed with, said bill was read the third time.

On the question,  
Shall this bill pass?

A motion was made by Mr. Hamilton and Mr. Sutherland,

To postpone the question for the present, and that the Senate again resolve itself into a committee of the whole, on the resolution for the purpose of introducing the following to be called resolution S.

And be it further resolved, That from and after the first day of May next, the Attorney General shall reside at the seat of government, and shall give his opinion in writing to the governor or heads of the several departments when called upon to do so, and shall personally attend to all suits in which the state may be interested, and which, in the judgment of the governor or head of any one of the departments, or of the canal commissioners, his attendance may be considered essential, and as a full compensation from the state for said services, he shall receive the sum of five hundred dollars in addition to his present salary per annum, to be paid quarterly: Provided, That with the consent of the governor or of the head of the department requiring his services, or of the board of canal commissioners, in cases where said board shall require his services, the Attorney General may perform the duties by this act, by deputy.

Which was agreed to.

Whereupon,

The Senate again resolved itself into a committee of the whole, Mr. Hambright in the chair, on said resolution.

After some time,

The committee rose, and the chairman reported the resolution with one amendment.

Said amendment was twice read:

On the question,  
Will the Senate agree to the amendment, as reported by the  
chairman of the committee of the whole?

The yeas and nays were required by Mr. King and Mr. Power,  
and are as follow, viz.

YEAS.	YEAS.
Messrs. Duncan, Hambright, Hamilton, Hawkins, Hay, Herbert, Kerlin, Knight,	Messrs. Leech, Logan, Petrikin, Ray, Sullivan, Sutherland, Mahon, Speaker, 15.
NAYS.	NAYS.
Messrs. Allshouse. Audenried, Hunt,	Messrs. King, Ogle, Power, 6.

So it was determined in the affirmative.

The question recurring,  
Shall this resolution pass?

A motion was made by Mr. Sutherland and Mr. Logan,  
To postpone the question for the present, for the purpose of  
amending the title, by adding thereto the following: "prescribing the  
duties of the attorney general, and fixing his compensation."

Which was unanimously agreed to.

The question again recurring,  
Shall the resolution pass?

It was determined in the affirmative.

Ordered, That the Clerk return said resolution to the House of  
Representatives, with information that the Senate have passed the  
same with amendments, in which the concurrence of that house is  
requested.

Mr. Garber, from the committee appointed to confer with a sim-  
ilar committee from the House of Representatives, on the disa-  
greement between the two houses, on the amendments by the  
House of Representatives, to bill No. 148, entitled

'A supplement to an act entitled an act to erect the town of  
Indiana, in the county of Indiana, into a borough,"

Reported, That they recommend that the Senate recede from  
their non-concurrence in the amendments by the House of Re-  
presentatives to said bill.

On motion of Mr. Garber and Mr. Kerlin,  
The said report was read the second time, considered and adopted.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Herbert and Mr. Power,  
The amendments by the House of Representatives, to bill No. 57, entitled

"An act incorporating the Theological Seminary of the General Synod of the Evangelical Lutheran Church of the United States,"

Were read the second time.

The same being under consideration,

A motion was made by Mr. Audenried and Mr. Kerlin,

To postpone the amendments, together with the bill, indefinitely:

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Audenried and Mr. Sullivan, and are as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Garber, Hawkins,	Messrs. Kerlin, King, Knight, Ogle, 8.
NAYS.	NAYS.
Messrs. Duncan, Hambright, Hay, Herbert, Leech, Logan,	Messrs. Moore, Power, Ray, Sullivan, Sutherland, Mahon, Speaker, 12.

So it was determined in the negative.

The amendments being again under consideration,

A motion was made by Mr. Sutherland and Mr. Audenried,  
To postpone the further consideration of the amendments for the present.

Which was agreed to.

The clerk of the House of Representatives being introduced, returned the bill entitled

No. 309. "A supplement to an act entitled, An act to alter and amend the Fee bill."

And informed that the House of Representatives have passed the bill with one amendment, in which the concurrence of the Senate is requested.

On motion,

Said amendments were twice read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

And gave information that the House of Representatives recede from their non-concurrence in the amendment insisted on by the Senate to the bill from the House of Representatives, No. 323, entitled

"An act granting compensation for donation land to sundry soldiers and heirs of soldiers of the revolutionary war."

He further informed that the House of Representatives have concurred in the amendments by the Senate to the bill No. 317, from the House of Representatives, entitled

"An act relative to the distribution of moneys arising from Sheriff's and Coroner's sales, and for other purposes,"

He also informed that the House of Representatives insist in their amendment non-concurred in by the Senate, to the bill from the Senate No. 209, entitled

"An act relating to the escheated estates of John M'Gray and John Weemly,"

And have appointed Messrs. Ellis, Harrison and Wise, a committee to confer with a similar committee from the Senate, (if the Senate should appoint such committee,) on the said amendment.

On motion,

Messrs. Kerlin, Ogle, and Knight, were appointed a committee to confer with the above committee on said amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also further informed that the House of Representatives have concurred in the amendments by the Senate, to the bills and resolution from the House of Representatives, entitled as follow:

No. 304, "An act regulating election districts and for other purposes."

No. 285, "Resolution relative to the support of the Western penitentiary,"

Laid on the table.

On motion of Mr. Petrikin and Mr. Ray,

The Senate resolved itself into a committee of the whole, Mr. Sullivan in the chair, on bill No. 991, from the House of Representatives, entitled

"An act to incorporate the stockholders of the Philadelphia arcade."

After some time,

The committee rose, the chairman reported progress, and asked leave for the committee of the whole to sit again.

On the question,  
Shall the committee have leave to sit again?

A motion was made by Mr. Ogle and Mr. Petrikin,  
To postpone the question, together with the bill, for the present.  
Which was agreed to.

On motion of Mr. Herbert and Mr. Hunt;  
The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on bill No. 254, from the House of Representatives, entitled

"An act to provide for the settlement of the concerns of the Farmers and Mechanics Bank of Greencastle."

After some time,  
The committee rose, the chairman reported progress, and asked leave for the committee to sit again.

On the question,  
Shall the committee of the whole have leave to sit again?

A motion was made by Mr. Kerlin and Mr. Ogle,  
To discharge the committee of the whole, and that the bill be recommended to the early attention of the next legislature.  
Which was agreed to.

On motion of Mr. Kerlin and Mr. Ogle,  
The Senate adjourned until half past three o'clock, P. M.

### *SAME DAY—IN THE AFTERNOON.*

On motion of Mr. Petrikin and Mr. Sutherland,  
The committee appointed to confer with a similar committee from the House of Representatives, on the subject of the disagreement between the two houses, on the amendments by the House of Representatives to bill No. 209, entitled

"An act relating to the escheated estate of John M'Gray and John Weemly,"

Was discharged from the further consideration of the subject, and

On motion,  
The Senate receded from their non-concurrence in said amendments.

Ordered, That the Clerk inform the House of Representatives accordingly.



On motion of Mr. Ogle and Mr. Knight,

The Senate resolved itself into a committee of the whole, Mr. Audenried in the chair, on bill No. 312, from the House of Representatives, entitled

"Address to the governor, for the removal from office of Joseph Lester, a justice of the peace of Northampton county."

After some time,

The committee rose and the chairman reported the address without amendment.

On motion of Mr. Ogle and Mr. Garber,

The said address was read the second time.

The same being under consideration,

On the question,

Will the Senate agree to the address?

The yeas and nays being taken, were as follow, viz:

YEAS.

YEAS.

Messrs. Allshouse,  
Audenried,  
Duncan,  
Garber,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,  
Hunt,

Messrs. Kerlin,  
Knight,  
Leech,  
Logan,  
Moore,  
Ogle,  
Power,  
Ray,  
Sullivan,  
Mahon, Speaker, 20.

NAYS.

NAYS.

Messrs. Petrikin,

Messrs. Sutherland, 2]

So it was determined in the affirmative.

Ordered, That the Clerk return said address to the House of Representatives, with information that the Senate have passed the same without amendment.

On motion of Mr. Ogle and Mr. Garber,

The Senate resolved itself into a committee of the whole, Mr. Duncan in the chair, on address No. 313, from the House of Representatives, entitled

"Address to the Governor for the removal from office, of Alexander C. Phelps, a justice of the peace, of Susquehanna county."

After some time,

The committee rose, and the chairman reported the address without amendment.

On motion of Mr. Ogle and Mr. Garber,

The said address was read the second time.

The same being under consideration,

On the question,

Will the Senate agree to the address?

A motion was made by Mr. Sutherland and Mr. Kerlin,  
To postpone the question, together with the address, and that it  
be recommended to the early attention of the next legislature.

Which was not agreed to.

The question recurring,

Will the Senate agree to the address?

The yeas and nays being taken, were as follow, viz.

YEAS.	YEAS.
Messrs. Allshouse, Audenried, Duncan, Garber, Hambright, Hamilton, Hawkins, Hay, Herbert,	Messrs. Hunt, Knight, Leech, Logan, Moore, Ogle, Power, Ray, Sullivan, 18.
NAYS.	NAYS.
Messrs. Kerlin, Petrikin,	Messrs. Sutherland, Mahon, Speaker, 4.

So it was determined in the affirmative.

Ordered, That the Clerk return said address to the House of Representatives, with information that the Senate have passed the same without amendment.

Mr. Herbert, from the committee to compare bills and present them to the Governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day presented to the governor, for his approbation, the bills numbered and entitled as follow, to wit:

No. 302. An act relative to the improvement of the Susquehanna.

No. 31. An act concerning the backing or endorsing warrants by Justices of the Peace.

No. 285. Resolution relative to the eastern and western penitentiaries.

No. 317. An act relative to the distribution of money arising from Sheriffs and Coroners sales, relative to the duties of the auditor general and county commissioners.

No. 328. An act granting compensation for donation land, to sundry soldiers and heirs of soldiers of the revolutionary war.

No. 309. A supplement to an act entitled, "an act to alter and amend the fee bill."

No. 148. A supplement to an act entitled, "an act to erect the town of Indiana, in the county of Indiana, into a borough."

No. 304. An act regulating election districts, and for other purposes.

Laid on the table.

A motion was made by Mr. Knight and Mr. Logan, and read as follows:

Resolution relative to certain drafts, maps and profiles.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the drafts, maps and profiles which accompanied the annual report of the canal commissioners to the present legislature, and the drafts, maps and profiles, relative to the Susquehanna river, between the New-York and Maryland state lines, made out in pursuance of resolutions passed at the last session of the legislature be, and the same are hereby directed to be deposited in the office of the secretary of the commonwealth, for public use.

Said resolution was read the first time.

On motion of Mr. Knight and Mr. Duncan,  
The rule which prohibits the reading bills twice on the same day, being in this case dispensed with,

Said resolution was read the third time, and

On motion of Mr. Knight and Mr. Petrikin,  
The rule which prohibits bills being read twice on the same day, was in this case dispensed with, said resolution was read the third time and passed.

Ordered, That the clerk present said resolution to the House of Representatives for concurrence.

On motion of Mr. Knight and Mr. Logan,

The following resolution was twice read, considered and adopted.

Resolved by the Senate and House of Representatives, That the rule of the two houses which prohibits the transmission of bills or resolutions within eight days previous to the adjournment, be dispensed with so far as relates to a "Resolution relative to certain drafts, maps and profiles."

Ordered, That the clerk inform the House of Representatives accordingly.

On motion of Mr. Power and Mr. Herbert,

The Senate resumed the second reading and consideration of the amendments by the House of Representatives, to bill No. 57, entitled

"An act incorporating the Theological Seminary of the General Synod of the Evangelical Lutheran church, in the United States."

The same being again under consideration,

The question recurring,

Will the Senate non-concur in the first amendment?

It was determined in the affirmative.

The second amendment being under consideration,

A motion was made by Mr. Sullivan and Mr. Duncan,

That the Senate concur in the amendment.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Ogle and Mr. Garber, and are as follow, viz.

## YEAS.

Messrs. Duncan,  
Hay,  
Herbert,  
Knight,  
Leech,

## YEAS.

Messrs. Petrikin,  
Power,  
Sullivan,  
Sutherland,  
Mahon, speaker, 10.

## NAYS.

Messrs. Allshouse,  
Audenried,  
Garber,  
Hambright,  
Hamilton,

## NAYS.

Messrs. Hawkins,  
Hunt,  
Kerlin,  
Moore,  
Ogle, 10.

So it was determined in the negative.

The third amendment being under consideration,

A motion was made by Mr. Sutherland and Mr. Kerlin,

To postpone the further consideration of the amendments, and that the bill be recommended to the early attention of the next legislature.

Which was agreed to.

On motion of Mr. Knight and Mr. Logan,

The Senate adjourned until 8 o'clock, in the evening.

### IN THE EVENING.

Mr. Power obtained leave to withdraw the petition and documents of James Moore, a soldier of the revolution.

The clerk of the House of Representatives being introduced, gave information that the House of Representatives have concurred in the amendments by the Senate, to the resolution from the House of Representatives, No. 332, "Relative to the employment

of counsel by the auditor general, in the case of the heirs of John Nicholson, deceased."

Laid on the table.

The Secretary of the commonwealth being introduced, presented a message, accompanied with a document, from the governor, which were read as follow, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I received this afternoon, from the engineer appointed to survey and explore the river Susquehanna, under resolutions of the legislature of last session, a map and profile of said river, from the New York state line to the line of the state of Maryland, which I have directed to be delivered to the House of Representatives for the use of the legislature. I also transmit a copy of a letter from the engineer, furnished with said map.

J. ANDW. SHULZE.

*Harrisburg, April 16, 1827.*

*To his Excellency, J. Andw. Shulze,  
Governor of Pennsylvania.*

SIR—

I herewith transmit your excellency the map and profile of the river Susquehanna, from the New York state line to that of Maryland, intended to accompany my report on the improvement of said river.

Very respectfully,

I have the honor to be,

Your obedient servant,

CHARLES TRCZYULNY.

Laid on the table.

On motion of Mr. Kerlin and Mr. Hunt,

The rule for going into a committee of the whole, being in this case dispensed with, bill No. 34, from the House of Representatives, entitled

"An act to prevent certain abuses of the laws relative to fugitives from labor,"

Was read the second time, and

On motion of Mr. Kerlin and Mr. Garber,

The rule which prohibits bills being read twice on the same day, being in this case dispensed with, said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The question recurring,

Will the Senate agree to postpone the amendments and recommend the bill to the early attention of the next legislature.

It was determined in the negative.

On motion of Mr. Hawkins and Mr. Moore,

The Senate reconsidered the vote on the question to concur in the second amendment to said bill.

The question recurring,

Will the Senate concur in the second amendment?

It was determined in the affirmative.

The third amendment was considered and non-concurred in.

The fourth amendment was considered and concurred in.

The fifth and last amendment was considered and concurred in, after being amended to read, "An act incorporating the Theological Seminary of the General Synod of the Evangelical Lutheran Church of the United States, and for other purposes."

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Petrikin and Mr. Garber,

The following resolution was twice read, considered and unanimously adopted:

Resolved, That the able, impartial and dignified manner in which the Speaker has discharged the highly important and responsible duties of his office, during the present session, deserves and meets the most decided approbation of the Senate.

On motion,

Ordered, That Messrs. Garber and Hunt be a committee in conjunction with a similar committee from the House of Representatives, (if that house should appoint such committee,) to wait upon the governor and inform him, that the general assembly have agreed to adjourn on to-morrow, and to inquire whether he has any further communication to make to the legislature.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Kerlin and Mr. Knight,

The Senate adjourned until fifteen minutes past 12 o'clock to-morrow morning.

**TUESDAY, April 17, 1827.**

The Clerk of the House of Representatives being introduced, gave information that the House of Representatives have concurred in the amendments by the Senate, to the bill from the House of Representatives, No. 204, entitled .

"An act to authorise the governor to incorporate a company to erect a bridge over the North East Branch of the river Susquehanna, at or near the village of Athens, in the county of Bradford."

He also informed that the House of Representatives have receded from the amendments non concurred in by the Senate, and concurred in the amendments by the Senate to the amendments by the House of Representatives to the bill from the Senate, No. 57, entitled

"An act incorporating the theological seminary of the general synod of the Evangelical Lutheran church of the United States.

Laid on the table.

Mr. Herbert, from the committee to compare bills, and present them to the governor for his approbation, made report:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the governor for his approbation, the bills numbered and entitled as follow, to wit:

No. 209. An act relative to escheated estates.

No. 312. "Address to the governor for the removal from office of Joseph Lester, a justice of the peace of Northampton county."

No 313. "Address to the governor for the removal from office of Alexander C. Phelps, a justice of the peace of Susquehanna county."

No. 332. "Resolution relative to the employment of counsel by the auditor general in the case of the heirs of John Nicholson, deceased, and prescribing the duties of the attorney general, and fixing his compensation."

No. 57. "An act incorporating the Theological Seminary of the General Synod of the Evangelical Lutheran Church of the United States, and for other purposes."

No. 204. "An act to authorise the governor to incorporate a company to erect a bridge over the North East Branch of the : usquehanna river, at or near the village of Athens, in the county of Bradford."

Laid on the table.

The Clerk of the House of Representatives being introduced, presented an extract from the journal of that house, which was read as follows, viz:

*In the House of Representatives,  
April 17, 1827.*

On motion,

Ordered. That Messrs. Brown and Bertolet be a committee, in conjunction with a committee of the Senate, to wait upon the governor, and inform him that the general assembly have agreed to adjourn this day, and to inquire whether he has any further communications to make.

Laid on the table.

The secretary of the commonwealth being introduced, presented two messages from the governor, which were read as follow, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts and resolution of the general assembly, and directed the secretary of the commonwealth to return them to the houses in which they respectively originated, viz.

No. 84. An act concerning the backing or endorsing warrants by Justices of the Peace.

No. 302. An act relative to the improvement of the Susquehanna river.

No. 148. A supplement to an act entitled, 'an act to erect the town of Indiana, in the county of Indiana, into a borough, and for other purposes.

No. 309. A supplement to an act entitled, 'an act to alter and amend the fee bill.'

No. 317. An act relative to the distribution of moneys arising from Sheriffs and Coroners sales, relative to the duties of the auditor general and county commissioners.

No. 32. An act granting compensation for donation land, to sundry soldiers and heirs of soldiers of the revolutionary war.

No. 304. An act regulating election districts, and for other purposes.

No. 09. An act relating to escheated estates.

No. 285. Resolution relative to the eastern and western penitentiaries.

I further inform the legislature, that I have received the addresses of both houses, under the provisions of the constitution, for the removal from office of Alexander C. Phelps, a justice of the peace of Susquehanna county, and Joseph Lester, a justice of the peace of Northampton county, and that the removal of said officers will be made accordingly.

J. ANDW. SHULZE.

Harrisburg, April 16, 1827.



*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN—

I have this day approved and signed the following acts of the general assembly, and directed the secretary of the commonwealth to return them to the houses in which they respectively originated, viz.

No. 34. An act to prevent certain abuses of the laws relative to fugitives from labor.

No. 204. An act to authorise the governor to incorporate a company to erect a bridge over the North East Branch of the Susquehanna river, at or near the village of Athena, in the county of Bradford.

No. 37. An act incorporating the Theological Seminary of the general synod of the Evangelical Lutheran church, in the United States, and for other purposes.

J. ANDW. SHULZE.

*Harrisburg, April 17, 1827.*

Laid on the table.

Mr. Herbert, from the committee to compare bills and present them to the governor for his approbation, made final report:

That in conjunction with a similar committee from the House of Representatives, they have deposited in the office of the secretary of the commonwealth, for enrollment, the several acts and resolutions of the general assembly, passed the present session, entitled respectively as follow, viz.

1. An act to enable the governor to appoint a notary public in the incorporated district of Kensington.

2. A further supplement to the act entitled an act authorising the governor to incorporate four companies, for making an artificial road from the town of Washington, in this state, to intersect the Harrisburg and Pittsburg turnpike road at or near the town of Bedford, passed the 18th day of March, 1826.

3. An act declaring Sinking creek, in Centre county, a public highway, from its mouth to Christian Keller's mill.

4. An act for the relief of Catharine Shartzler and Mary Holman, widows of revolutionary soldiers.

5. An act relative to constables' fees.

6. An act to repeal the first section of the act entitled an act for the relief of sundry widows of revolutionary soldiers.

7. An act for the relief of Mathias Rehr, a soldier, and Hannah Margaret Kemmel, the widow of a soldier of the revolution.

8. An act to alter the times of holding the courts in the counties of Montgomery, Greene, Clearfield and Beaver.

9. An act concerning the proof and acknowledgment of deeds made abroad.

10. An act appropriating to internal improvement, certain depreciated paper in the treasury of this commonwealth.

52. A supplement to the act, entitled 'an act to erect the town of Chester and its vicinity, in the county of Delaware, into a borough, and for other purposes therein mentioned.'

53. A supplement to an act, entitled 'an act to authorise the governor to incorporate a company to make a lock navigation on the east branch of the river Schuylkill, called the Little Schuylkill.'

54. An act extending the time for completing the Washington and Pittsburg turnpike road, and relative to the states' subscription to the same.

55. An act for the relief of James Murphy, a soldier of the revolution.

56. An act for the relief of Moses Vancampen, a revolutionary officer.

57. An act authorising the governor to incorporate the Schuylkill Valley navigation company, and for other purposes.

58. An act authorising the governor to incorporate the Mahanoy navigation company.

59. An act to authorise Samuel Humes, junior, guardian of Fidelity R. Van Dyke, to sell and convey certain real estate.

60. A supplement to the act entitled 'an act limiting the time during which judgments shall be a lien on real estate, and suits may be brought against the sureties of public officers.'

61. An act for the relief of sundry brigade inspectors.

62. An act to provide for the taking testimony in certain cases, and for other purposes.

63. A supplement to an act, entitled 'an act for establishing and building a bridge across the river Lehigh, at Bethlehem, in Northampton county,' passed April 5d. 1794.

64. An act authorising James Watson, to sell and convey a tract of land in Bedford county, of which Samuel Moore died seized.

65. An act authorising the administrators of Henry Hurst, deceased, to sell and convey real estate.

66. An act to enable the governor to incorporate a company to make a turnpike road from the northern termination of the York and Conewago turnpike road to the west end of the Harrisburg bridge.

67. An act to authorise the trustees of Athens township, in Bradford county, to convey certain lands.

68. An act authorising the guardian of the minor children of John E. Latta, to sell and convey certain real estate.

69. An act authorising John Hunter of the county of Delaware, to sell and convey certain real estate.

70. An act to authorise the trustees of the Methodist meeting house in Germantown, in the county of Philadelphia, to dispose of the same.

71. An act to enable the guardians of the minor children of Thomas J. Paschall and Mary H. Morris, to sell and lease on improvement, certain land in Schuylkill county.

72. An act to authorise Philip J. King, of York county, to sell a certain house and lot of ground, situate in the borough of York;

32. An act authorising Jacob Zook, trustee of the Great Valley Ominist society, in Chester county, to sell and convey certain real estate therein mentioned.

33. A further supplement to the act entitled an act to raise and collect county rates and levies.

34. An act for the appointment of an inspector of pot and pearl ashes for the port of Philadelphia, and for regulating the inspection of the same.

35. An act to make valid certain acts of Charles Deshler and James Keenan, justices of the peace, and Charles Chandler, a constable.

36. An act to empower John Miles and Joseph Miles, surviving executors of Samuel Miles, late of Montgomery county, deceased, to sell and convey certain real estate therein mentioned, and also to authorise John Fritz, guardian of Samuel, James and William Sands, minors, under the age of fourteen years, to execute and deliver a deed for a house and lot of land in Pottstown.

37. An act for the preservation of the records in the office of the deputy surveyor in the county of Washington, and for other purposes.

38. An act to repeal in part, an act entitled 'an act to improve the leading roads in M'Kean and Jefferson counties.'

39. An act authorising the sale and conveyance of the right of the heirs of George Taylor, to a tract of land in Washington county.

40. An act relative to certain books of record within this commonwealth.

41. An act authorising the laying out a state road in Beaver and Mercer counties, and also in Beaver and Allegheny counties, and for other purposes.

42. An act establishing the rates of ferriage, at Greensburg, Greene county, and to regulate the ferries in Washington, Westmoreland and Fayette counties.

43. An act to establish an academy in the town of Milford, in the county of Pike.

44. A further supplement to an act, entitled 'an act to incorporate the district of Spring Garden.'

45. An act declaring certain creeks within this commonwealth public highways.

46. An act to endow the "House of Refuge," and for other purposes therein mentioned.

47. An act granting a sum of money for improving the navigation of the Tuscarora creek, in Mifflin county.

48. An act to make valid a certain deed from the administrators of Henry Snyder, deceased, to Michael Simon.

49. An act for the establishment of a college at Uniontown, in the county of Fayette.

50. An act to incorporate the Franklin Library company of Ten Mile, in the county of Washington.

51. An act for the relief of sundry soldiers and widows of soldiers of the revolutionary war.

91. An act to increase the number of managers in the Huntingdon, Cambria and Indiana turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

92. An act to annul the marriage contracts of Nicholas Black and Fanny his wife, John W. Sinn and Margaret Ann his wife, William Fleming and Rebecca his wife, and John C. Hale (otherwise John Hill) and Matilda his wife.

93. A supplement to the act entitled "An act to authorise the governor to incorporate two companies to make an artificial road from Potter's Old Fort, in Centre county, to the Juniata turnpike road, at any point between the Yellow Springs and Water Street, in Huntingdon county.

94. An act to authorise Joseph M'Cune to erect swinging gates or racks across the South West branch of the Frankstown branch of the river Juniata.

95. A further supplement to an act entitled "An act to authorise the governor to incorporate a company to make a lock navigation on the river Schuylkill.

96. An act authorising the Dauphin and Susquehanna Coal Company to make Stoney Creek, in Dauphin county, a slack water navigation, and supplementary to an act entitled, An act to incorporate the Dauphin and Susquehanna coal company, passed April the fifth, eighteen hundred and twenty-six.

97. An act to authorise the commissioners of Dauphin county, to establish a public school in the borough of Harrisburg, on the Lancasterian system.

98. An act to erect the town of Alexandria, in the county of Huntingdon, into a borough.

99. An act to incorporate the Oxford rail road company of Chester county.

100. An act to establish a bank in the county of Lebanon, and for other purposes.

101. An act directing the commissioners of Venango county to raise a sum of money to extinguish a debt due the county of Warren.

102. An act authorising a re-examination and settlement of the accounts of Joseph M'Cullough, a supervisor in Jefferson county.

103. A supplement to the several acts for the inspection of staves and heading.

104. An act for the relief of William Arnold, late a supervisor of Luzerne township, in the county of Fayette, and for other purposes.

105. "A supplement to an act entitled "An act authorising the governor to incorporate the York Water Company, passed the 6th day of February 1816."

106. "An act concerning agencies of insurance companies not authorised by the laws of this state, established within this commonwealth."

107. "An act to incorporate the Philadelphia rail way dock Company."

and to execute a title for the same; and to enable Benjamin Moser and Christian Moser, administrators of doctor John Moser, deceased, to convey certain real estate.

73. A further supplement to the act entitled 'an act to re-charter certain banks.'

74. An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth.

75. An act to cede the jurisdiction of the territory occupied for a navy yard, in the county of Philadelphia, to the government of the United States.

76. A further supplement to the act, entitled 'an act to authorise the governor to incorporate a company for erecting a bridge over the Susquehanna, at the town of Danville.'

77. An act to incorporate the Delaware Towing Boat company.

78. A supplement to the act, entitled 'an act authorising the executors of Robert Brooke, and others, to sell and convey certain real estate.'

79. An act supplementary to an act authorising the executors of James Anderson, deceased, to sell certain real estate of the testator, passed the 11th day of April, A. D. 1825.

80. A supplement to an act to provide for the erection of a house of employment and support of the poor, in and for the county of Berks, and for other purposes.

81. An act to authorise the governor to incorporate a company for erecting a bridge over the river Susquehanna, near the north line of Pennsylvania, in Harmony township, Susquehanna county.

82. An act to lay out a state road from New Geneva, in Fayette county, through Greensburg, in Greene county, to the Virginia line, in the direction of the mouth of Fishing creek.

83. An act supplementary to an act for building a bridge over the river Schuylkill, opposite Norristown, in the county of Montgomery.

84. A supplement to the act entitled 'an act authorising the governor to incorporate the Conestoga navigation company.'

85. An act relative to the Eastern and Western Penitentiaries.

86. A supplement to the act entitled 'an act authorising the governor to incorporate the Susquehanna and Lehigh canal company.'

87. An act to provide for the farther extension of the Pennsylvania Canal."

88. An act authorising the commissioners of Lancaster county to sue in the name and style of "The Commissioners of Lancaster county," and prescribing that no person subject to county rates and levies shall be disqualified for that reason from being judge, juror, or witness in such suit."

89. An act to change the time of meeting of the auditors of Luzerne and Northampton counties.

90. An act to authorise the governor to incorporate a company for making an artificial road from the borough of Wilkesbarre, in the county of Luzerne, by the way of Solomon's Gap and Mauch Chunk, to the borough of Northampton, in the county of Lehigh.

91. An act to increase the number of managers in the Huntingdon, Cambria and Indiana turnpike road company, and to reduce the number of managers in the Harrisburg and Middletown turnpike road company, and for other purposes."

92. An act to annul the marriage contracts of Nicholas Black and Fanny his wife, John W. Swinn and Margaret Ann his wife, William Fleming and Rebecca his wife, and John C. Hale (otherwise John Hill) and Matilda his wife.

93. A supplement to the act entitled "An act to authorise the governor to incorporate two companies to make an artificial road from Potter's Old Fort, in Centre county, to the Juniata turnpike road, at any point between the Yellow Springs and Water Street, in Huntingdon county.

94. An act to authorise Joseph M'Cane to erect swinging gates or racks across the South West branch of the Frankstown branch of the river Juniata.

95. A further supplement to an act entitled "An act to authorise the governor to incorporate a company to make a lock navigation on the river Schuylkill.

96. An act authorising the Dauphin and Susquehanna Coal Company to make Stoney Creek, in Dauphin county, a slack water navigation, and supplementary to an act entitled, An act to incorporate the Dauphin and Susquehanna coal company, passed April the fifth, eighteen hundred and twenty-six.

97. An act to authorise the commissioners of Dauphin county, to establish a public school in the borough of Harrisburg, on the Lancasterian system.

98. An act to erect the town of Alexandria, in the county of Huntingdon, into a borough.

99. An act to incorporate the Oxford rail road company of Chester county.

100. An act to establish a bank in the county of Lebanon, and for other purposes.

101. An act directing the commissioners of Venango county to raise a sum of money to extinguish a debt due the county of Warren.

102. An act authorising a re-examination and settlement of the accounts of Joseph M'Cullough, a supervisor in Jefferson county.

103. A supplement to the several acts for the inspection of staves and heading.

104. An act for the relief of William Arnold, late a supervisor of Luzerne township, in the county of Fayette, and for other purposes.

105. "A supplement to an act entitled "An act authorising the governor to incorporate the York Water Company, passed the 6th day of February 1816."

106. "An act concerning agencies of insurance companies not authorised by the laws of this state, established within this commonwealth."

107. "An act to incorporate the Philadelphia rail way dock company."



131. An act to repeal part of an act, passed March 15th, 1826, authorising James Bell and Evan Thomas to build a bridge over Smithfield creek, in Northampton county.

132. An act for the relief of Charles Mitman, a soldier of the revolution.

133. A supplement to the act entitled an act authorising a review of certain state roads.

134. A supplement to an act entitled, an act for the promotion of agriculture and domestic manufactures.

135. An act authorising the administrators of Peter Anthony to sell and convey certain real estate.

136. A further supplement to the act entitled, an act for holding special courts of common pleas.

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138. An act to incorporate the town of Mifflinburg, in Union county.

139. An act to incorporate the rector, church wardens and vestrymen of the Episcopal church of St. Paul's, in Beaver county.

140. An act to repeal the 8th, 9th and 10th sections of an act authorising the sale and conveyance of certain real estate, and for other purposes, passed March 31st, 1825.

141. An act to authorise the committee of the estate of Charles Willing Hare to sell and convey real estate.

142. An act to authorise the trustees of a public school, in Douglas township, Berks county, to sell certain real estate.

143. An act for the relief of Patrick Dickson and James Riley, soldiers of the revolution.

144. An act appropriating a sum of money to the erection of a bridge over the Yellow Preeches creek.

145. A supplement to an act entitled an act for the improvement of the state.

146. A supplement to the act entitled an act appointing commissioners to investigate the concerns of the Northern Bank of Pennsylvania.

147. A supplement to the act entitled an act to erect the town of Morrisville into a borough.

148. An act for the relief of Hugh Means, a soldier of the revolution.

149. "An act for the relief of the heirs of Elisha Matthewson.

150. An act to incorporate the Union academy at Doylestown.

151. An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, to the line of the state of Ohio, in a direction to the centre of Vernon, in the county of Trumbull, in the state of Ohio.



152. An act incorporating the Trindle Spring German Reformed Calvinist and German Lutheran congregations, of Cumberland county.

153. An act to incorporate the Female Hospitable Society.

154. An act changing the name of John Stephens Smith, to Kenderton Smith.

155. An act to change the style of the charter of the German congregation of Zelig, Le and Harmony, in Butler county.

156. An act to enable the commissioners of the county of Philadelphia, to convey real estate.

157. An act for the relief of Andrew Long, a soldier of the revolution.

158. A supplement to an act, entitled an act, to alter an act, entitled an act for erecting the town of Carlisle, in the county of Cumberland, into a borough, &c.

159. An act to enable John Seiger, administrator de bonis non, &c. of of Peter Miller, deceased, to make title to certain real estate.

160. An act to aid in improving and repairing the state road between the Allegheny bridge and Beaver bridge.

161. An act incorporating the Lancaster county academy.

162. An act authorising the executors of Peter Blecker, deceased, to sell and convey certain real estate.

163. An act appropriating a sum of money for the erection of a bridge over the river Schuylkill, near Hamburg, in the county of Berks.

164. An act authorising the governor to incorporate the Shamokin Canal Company.

165. An act for the relief of Nathaniel Patterson, inspector of the 1st brigade, 10th division, Pennsylvania militia; and for the relief of Nathaniel W. Sample, junior, inspector of the 2d brigade, 4th division, Pennsylvania militia.

166. An act authorising the reviewing and laying out certain state roads, and for other purposes.

167. An act to incorporate the Pennsylvania and Ohio Canal Company.

168. An act to repeal in part an act entitled, 'an act for the relief of sundry supervisors therein mentioned, and for other purposes.'

169. A further supplement to an act entitled, 'an act for the regulation of the militia of this commonwealth.'

170. An act to enable the governor to incorporate a company for making an artificial road from the borough of Mercer, in the county of Mercer, through Greenville, to the line of the state of Ohio, at William Mossman's, in a direction to the town of Kinsman, in the county of Trumbull, in the state of Ohio, and for other purposes.

171. A supplement to an act entitled, 'an act to provide for the education of children at the public expense, within the city and county of Philadelphia.'

172. An act to improve the Norwegian creek, in Schuylkill county.

173. An act to authorise the establishment of a branch bank in the town of Pottsville, in Schuylkill county.

174. A supplement to an act entitled an act for the relief of the poor, passed the ninth day of March, 1771.

175. An act vesting certain powers in the administrators of the estate of James Elliott, deceased.

176. A supplement to the act entitled an act to provide for the erection of a poor house for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia, and relating to the poor of the borough of Erie, and certain townships in the county of Erie.

177. An act making appropriations to defray certain expenses of government.

178. An act vesting in Rachael Van Fossen, the illegitimate child of Mary Myle, deceased, the estate of said deceased.

179. An act for the relief of John Bartlet, a soldier of the revolution.

180. A further supplement to an act entitled an act to incorporate a company for making a turnpike road from Butler to the Allegheny river, opposite Kittanning.

181. An act for the relief of William Streper, a soldier of the revolution.

182. An act for the relief of William Blair and William Lecky, administrators of James Arthurs, deceased, and the sureties of Samuel Mann, late collector of taxes in the city of Pittsburgh.

183. An act authorising the governor to incorporate the Allegheny and Conewango canal company.

184. A further supplement to an act entitled an act to appoint a board of canal commissioners.

185. A supplement to the act entitled an act securing to mechanics and others, payment for their labor and materials, in erecting any house or other building, within the city and county of Philadelphia, and for other purposes.

186. A supplement to an act entitled an act authorising the governor to incorporate the Lackawanna and Susquehanna road company.

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188. An act relative to the improvement of the Susquehanna.

189. An act concerning the backing or endorsing warrants by justices of the peace.

190. An act relative to the distribution of moneys arising from Sheriffs' and Coroners' sales, relative to the duties of the auditor general and county commissioners.

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192. A supplement to an act entitled an act to alter and amend the fee bill.

193. A supplement to an act entitled an act to erect the town of Indiana, in the county of Indiana, into a borough.

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195. An act relative to escheated estates.

196. An act incorporating the Theological Seminary of the General Synod of the Evangelical Lutheran church, in the United States.

197. An act to authorise the governor to incorporate a company to erect a bridge over the North East Branch of the river Susquehanna, at or near the village of Athens, in the county of Bradford.

198. An act to prevent certain abuses of the laws relative to fugitives from labor.

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1. Resolution relative to the construction of a breakwater in the Bay of Delaware.

2. Resolution relative to the claims of revolutionary soldiers.

3. Resolution relative to the further distribution of Purdon's digest.

4. Resolution relative to the further distribution of the pamphlet laws of this commonwealth.

5. Resolution relative to the report of the commissioners appointed to revise the penal code.

6. Resolution relative to the further distribution of the laws.

7. Resolution relative to infant schools, in the first school district in Pennsylvania.

8. Resolution relative to the printing of the laws relating to the circuit courts.

10. Resolution recommending to county commissioners to furnish children, educated at the public expense, with Rogers' Biographical Dictionary.

11. Resolution relative to the eastern and western penitentiaries.

9. Resolution relative to the services of Governor Carroll during the late war.

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"Address to the governor, for the removal from office of Joseph Lester, a justice of the peace of Northampton county."

"Address to the Governor for the removal from office, of Alexander C. Phelps, a justice of the peace, of Susquehanna county."

Laid on the table.

Mr Garber, from the committee to wait upon the governor, reported:

That the committee had performed that service and that the governor informed them that he had no further communication to make to the general assembly.

On motion,

Ordered, That Messrs. Duncan, Sullivan and Logan, be a committee to inform the House of Representatives that the Senate is now ready to adjourn.

Messrs. Farrell and Binder, a committee from the House of Representatives, being introduced, informed that that House was ready to adjourn.

Mr. Duncan, from the committee to inform the House of Representatives that the Senate is now ready to adjourn, reported that they had performed that service.

Whereupon,

A motion was made by Mr. Knight and Mr. Garber,  
That the Senate adjourn, sine die.

On the question,

Will the Senate adjourn?

The yeas and nays were required by Mr. Power and Mr. Leech, and are as follow, viz.

YEAS.

Messrs. Allshouse,  
Audenried,  
Duncan,  
Garber,  
Hambright,  
Hamilton,  
Hawkins,  
Hay,  
Herbert,  
Hunt,  
Kerlin,

YEAS.

Messrs. Knight,  
Leech,  
Logan,  
Moore,  
Petrikin,  
Power,  
Ray,  
Sullivan,  
Sutherland,  
Mahon, Speaker,

NAYS—none.

So it was unanimously determined in the affirmative, and  
The Speaker adjourned the Senate, sine die

JOHN DE PUL, *Clark of the Senate*



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TO THE

**THIRTY-SEVENTH JOURNAL**

OF

**THE SENATE.**

OF THE

**COMMONWEALTH OF PENNSYLVANIA.**

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**HARRISBURG:**

**PRINTED BY CAMERON & KRAUSE,**

**1827.**

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